

ORDINANCE NO. 5528

AN ORDINANCE to amend and reordain sections 5-6-23 (CONSTRUCTED SO AS TO REQUIRE SEPARATE AND DIRECT SERVICE FOR EACH HOUSE, BUILDING OR PARCEL OF PROPERTY), 5-6-25.1 (SEWER CONNECTION PERMITS AND SERVICE FEES; CONSTRUCTION COSTS; CONSTRUCTING SEWERS BY OWNERS RATHER THAN CITY; ADDITIONAL CONNECTIONS), and 5-6-28 (UNLAWFUL TO CONNECT WITHOUT PERMIT AND PAYMENT) of Division 1 (GENERAL PROVISION) of Article B (SEWAGE DISPOSAL AND DRAINS) of Chapter 6 (WATER AND SEWER) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY AMENDS AND REORDAINS:

Section 1. That Section 5-6-23 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by deleting the text shown in strikethrough and adding the text shown in underline as follows:

Sec. 5-6-23 - Constructed so as to require separate and direct service for each house, building or parcel of property.

Any extension of the sewer system from sewers now built or hereafter built shall be constructed so that each house, building or separate parcel of property that connects with or is served by or through any part of the city sewer system shall be connected separately and directly with the city system, ~~when and after the full amount required by section 5-6-25 has been paid into the city treasury,~~ in accordance with provisions of sections 5-6-25.1 and 5-6-31.

Section 2. That Section 5-6-25.1 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by deleting the text shown in strikethrough and adding the text shown in underline as follows:

Sec. 5-6-25.1 Sewer connection ~~permits~~ approvals and service fees; construction costs; constructing sewers by owners rather than city; additional connections.

- (a) Any person who is required, or who desires, to provide a connection for sewer service from ~~his~~ their property, through any sewer constructed by or belonging to the city or any sewer serving the area annexed to the city in 1952, but belonging to a county, by direct connection at a city sewer main, trunk or lateral, shall, before starting to make such connection, apply to the director ~~for a permit to make the connection~~ by presenting plans for such a connection as part of a grading plan or final site plan, and the director shall approve the plan, as appropriate, to issue a permit authorize ~~for the sewer connection.~~ For purposes of this subsection, a final site plan includes both a development site plan and a development special use permit. For sewer connections presented as a part of a final site plan, the fee for connection must be calculated at the time of release of the final site plan, and must be paid before the first certificate of occupancy is issued by the Department of Code Administration. For sewer connections

presented as a part of a grading plan, this fee must be calculated and paid prior to the release of the grading plan ~~when and after the person shall have paid to the department of finance the sum hereinafter provided.~~

- (1) For each single-family dwelling, townhouse dwelling, or townhouse type dwelling irrespective of classification for other purposes, or for each dwelling unit in a two-family dwelling, the amount of \$8,404.00.
- (2) For each multi-family dwelling, an amount equal to the product of the number of dwelling units in the multi-family dwelling, multiplied by \$4,201.00. For all final site plans submitted on or after September 1, 2013, the amount shall be increased to 90 percent of the single-family dwelling amount.
- (3) For each hotel room, an amount equal to the product of the number of dwelling units in the hotel multiplied by \$4,201.00. For all final site plans submitted on or after September 1, 2013, the amount shall be increased to 70 percent of the single-family dwelling amount, and for all final site plans submitted on or after July 1, 2014, the amount shall be increased to 90 percent of the single-family dwelling amount.
- (4) For each senior living dwelling, an amount equal to the product of the number of dwelling units in the senior living facility multiplied by 75 percent of the single-family dwelling amount.
- (5) For each nonresidential property, the fee shall be an amount equal to the number of equivalent residential units (ERUs) as shown in the table below multiplied by the single-family dwelling amount.

Meter Size (inches)	Equivalent Residential Units (ERUs)
¾ or smaller	1.4
1	3
1.5	6
2	15

For water meter sizes greater than 2 inches, the number of ERUs shall be determined on an individual basis by calculating the total daily sewer flow using established city standard flow factors but shall not be less than 15 ERUs.

- (6) For each mixed use property, where such property includes both residential and nonresidential uses, an amount equal to the sum of the fee determined for the residential portion of such property, in accordance with this section, plus the fee determined for the nonresidential portion of such property, in accordance with this section; provided, however, if the residential portion and nonresidential portion of such property are served by a single

water meter, the fee shall be an amount determined by the director in his reasonable discretion.

- (7) For connections that involve the removal of an existing structure with an existing tap, a credit for the existing tap shall be applied towards the total connection fee otherwise due in accordance with this section for final site plans submitted on or after September 1, 2013. The amount of the credit shall be estimated by the director and shall be based on the previous use. The credit shall only apply to properties removed or demolished not longer than three years prior to the submission of the final site plan for the new structure. The credit shall be equal to 100 percent of the current fee that would be applied to the structure or structures being removed. For mixed use properties, the credit will be based on the sum of the residential credit and nonresidential credit, in accordance with this section. If the previous use was served by a single water meter, the credit shall be an amount determined by the director in his reasonable discretion.
- (8) For an existing property that changes its use, such as from non-residential to residential (or vice versa), increases the number of residential units or hotel rooms, or adds or increases the water meter size to account for the change in use, the amount of shall be calculated as follows:
  - a. If the same sewer connection (tap) is utilized, then the fee shall be based on the net increase in units (or usage) between the existing and proposed uses.
  - b. If a new sewer tap is required, then the fee shall be set in accordance with the fees for new construction set forth in this section, net of any credits due pursuant to section (7) above.
  - c. With respect to final site plans, or if such final site plan is not required, building permits, for projects proposing a sewer service connection covered by this section that are approved or granted between May 18, 2013 and June 30, 2018, the connection fee shall be 60 percent of the amount calculated pursuant to section (a)(8)a. or (a)(8)b. above.
  - d. With respect to final site plans, or if such final site plan is not required, building permits, for projects proposing a sewer service connection covered by this section that are approved or granted July 1, 2018 through June 30, 2019, the connection fee shall be 80 percent of the amount calculated pursuant to section (a)(8)a. or (a)(8)b. above.
  - e. With respect to final site plans, or if such final site plan is not required, building permits, for projects proposing a sewer service connection covered by this section that are approved or granted July 1, 2019 and later, the connection fee shall be full amount calculated pursuant to section (a)(8)a. or (a)(8)b. above, without any adjustment.
- (9) In cases where a DSP/DSUP extension is filed after the connection fees have been established for a development project (following final plan submission), the connection fee rate shall be revised to reflect the current fee structure in effect at the time the extension is approved. For all final site plans submitted prior to April 1, 2013, one DSP/DSUP extension may be granted without revising the connection fee rate previously established at the time of the final site plan submission.

(10) Sections (1) through (3) and section (5) reflect the fees for final site plans submitted before July 1, 2013. Beginning in fiscal year 2014 and going forward, the foregoing fees shall increase each year at the rate of inflation as determined by the annual CPI-U for the Washington-Baltimore-Northern Virginia, DC-MD-VA-WVA Combined Statistical Area and shall apply to all final plans filed submitted between July 1 of that year and June 30 of the subsequent year.

(b) Extension of service; credits for such extension.

(1) A person required or desiring to provide extension of sewer service to his property shall construct or have constructed such extension at his own expense. The person shall execute a satisfactory agreement with the city, as prescribed by the city manager, agreeing to construct such sewer or sewers in accordance with plans and specifications approved by the director and the person shall in addition furnish such guarantee of performance and maintenance to the city as the city manager may require. Such sewers shall become the property of the city upon completion and acceptance of the work.

(2) If, pursuant to a written requirement of the director, the person constructs such extension in a manner that exceeds the requirements to provide service to the property of such person, a credit shall be available to be applied to the fees otherwise due under this section, in an amount equal to the difference between the cost of such extension, constructed in accordance with the written requirement of the director, and the cost of such extension, constructed as originally proposed by the person, such amount to be determined by the director. The amount of the credit shall be estimated by the director prior to commencement of construction, and an interim fee shall be paid by the person in an amount equal to the fees otherwise due under this section minus the estimated credit; provided, the minimum interim fee shall be for each single family dwelling, townhouse dwelling or dwelling unit in a two-family dwelling residential unit, \$100.00, for each dwelling unit in a multifamily dwelling, \$100.00, and for each floor of a nonresidential property, \$100.00 or \$0.08 per square foot of floor space, whichever is greater.

(3) Upon satisfactory completion of the work, the actual amount of the credit shall be determined by the director based on certified bills submitted to and approved by him. The final fee to the person shall be an amount equal to the fees otherwise due under this section minus the amount of the actual credit; provided, the minimum final fee shall be for each single family dwelling, townhouse dwelling or dwelling unit in a two-family dwelling residential unit, \$100.00, for each dwelling unit in a multifamily dwelling, \$100.00, and for each floor of a nonresidential property, \$100.00 or \$0.08 per square foot of floor space, whichever is greater. Any difference between the interim fee and the final fee shall immediately be paid to or refunded by the department of finance.

(4) If the amount of the credit estimated under subsection (b)(2) above exceeds the amount of the fees otherwise due under this section without regard to the minimum fee calculated under subsection (b)(2) of this section, prior to the commencement of construction, the city shall agree to pay the person an amount equal to such excess or shall withdraw the written requirement of the director for construction of such extension in a manner that exceeds the requirements to provide service to the property of such person.

(c) Exclusions and exemptions.

- (1) Notwithstanding anything to the contrary contained in this section, no fee shall be charged to connect a sewer system or sewage disposal system which serves exclusively a fire sprinkler system, installed pursuant to section 906.0 of the Virginia Uniform Statewide Building Code, as amended, a fire standpipe system, installed pursuant to section 915.0 of the Virginia Uniform Statewide Building Code, as amended, or a yard hydrant, installed pursuant to section 917.0 of the Virginia Uniform Statewide Building Code, as amended.
- (2) Notwithstanding anything to the contrary contained in this section, no fee shall be charged to connect a sewer system or sewage disposal system which serves property owned by the Alexandria City Public Schools, the Alexandria Redevelopment and Housing Authority, or an entity in which the Alexandria Redevelopment and Housing Authority holds an ownership interest and the purpose of such entity is to develop property using federal low income tax housing credits.
- (3) The fees established and imposed by this section shall not apply to a connection where (i) such connection is within the limits of a coordinated development district approved by city council, (ii) the main or trunk line to which such connection will be made extends from such coordinated development district directly to the publicly owned treatment works of the Alexandria Sanitation Authority, without connection at the time of its construction to any city sewer, unless such a connection is made pursuant to a written requirement of the director and exceeds the requirements to provide service to the coordinated development district, (iii) such main or trunk line was constructed totally at private expense, and (iv) the application for such connection is submitted within 22 years of the date of issuance of the first building permit subsequent to April 1, 2002, within such coordinated development district. Upon satisfaction of the foregoing criteria, a permit for the sewer connection shall be issued upon payment of a fee for each single family dwelling, townhouse dwelling or dwelling unit in a two-family dwelling residential unit, of \$100.00, for each dwelling unit in a multifamily dwelling, of \$100.00, and for each floor of a nonresidential property, of \$100.00 or \$0.08 per square foot of floor space, whichever is greater; provided, however, in the event construction of the improvements to be served by such permitted connection has not substantially commenced within 23 years of the date of issuance of the first building permit subsequent to April 1, 2002, within such coordinated development district, the permit for the sewer connection issued shall expire and thereafter the fees established and imposed generally by this section shall apply.
- (d) If the city manager finds that construction of an extension by a person would constitute a hardship on such person, by reason of his inability to secure a satisfactory contract, or otherwise, the city manager may direct that the construction be done by or for the city; provided, however, that the cost to the city shall not exceed the fees paid by such person less for each single family dwelling, townhouse dwelling or dwelling unit in a two-family dwelling residential unit, \$100.00, for each dwelling unit in a multifamily dwelling, \$100.00, and for each floor of a nonresidential property, \$100.00 or \$0.08 per square foot of floor space, whichever is greater. Costs in excess of such fees shall be paid by the person prior to making any connection to such sewer.

- (e) The total sum to be paid to the department of finance for sewer service at the city sewer main, trunk or lateral for any property in the city, the sewage of which will be transported from such property through sewers constructed previously by private parties into sewers constructed or belonging to the city, except for such sewers as may have been constructed by private parties under the control or supervision of the city or other public authority, shall be as provided generally in this section for each such property so connected.
- (f) Any person desiring additional sewer service connection to any property shall make application to the director for permission to construct such connection and shall pay to the department of finance the sum as provided generally in this section for each additional connection ~~prior to the issuance of the permit for the sewer connection.~~ The timing of such payment shall made pursuant to section (a) above.
- (g) Nothing in this chapter shall be construed to prevent the city sanitation authority from making a service charge for collecting and treating sewage.

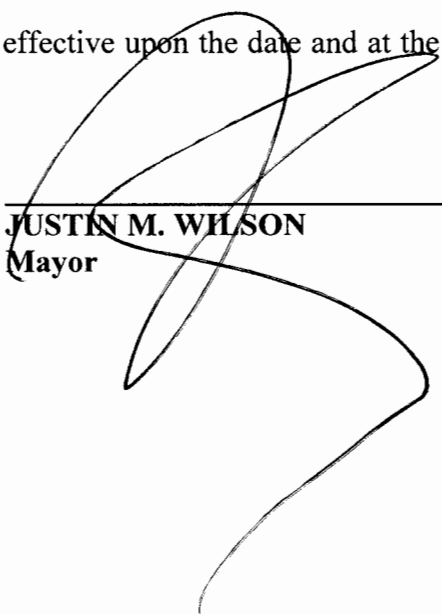
Section 3. That Section 5-6-28 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by deleting the text shown in strikethrough and adding the text shown in underline as follows:

Sec. 5-6-28 - Unlawful to connect without authorization ~~permit and payment.~~

It shall be unlawful for any person to make any sewer service connection from any property, which abuts a public sewer to the public sewer system, either directly or indirectly, through any other sewer, without first having obtained authorization ~~a permit~~ from the director of transportation and environmental services ~~and paid into the city treasury the amount required by section 5-6-25.1 of this code for public sewer service.~~

Section 4. That Sections 5-6-23, 5-6-25.1, and 5-6-28 as amended pursuant to Sections 1, 2 and 3 of this ordinance, be, and the same hereby are, reordained as part of the City of Alexandria City Code.

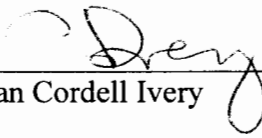
Section 5. That this ordinance shall become effective upon the date and at the time of its final passage.

  
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**JUSTIN M. WILSON**  
Mayor

ATTEST:

  
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Gloria A. Sitton, CMC City Clerk

Approved as to Form:

  
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Cheran Cordell Ivery City Attorney

Final Passage: March 16, 2024