

WATER POLICY RESOLUTION FOR THE TOWN OF WASHINGTON

RECITALS:

1. WHEREAS, the Town Council of the Town of Washington did on the 10th day of November, 1999, adopt the 1999 Town of Washington Water Service Ordinance which established certain policies and charges for the provision of water service within the Town; and

2. WHEREAS, Section 3 of said ordinance provides that

"the town council may, by resolution, from time to time and at their discretion fix or modify the charges for the supplying of water and all other charges for the providing of water services including, among other things, tap connection fees, connection fees, re-connection fees, minimum monthly usage charges and all other water service charges."; and

3. WHEREAS, said ordinance established certain monthly charges for water service, but did not establish a water tap fee; and

4. WHEREAS, Section 5 of said ordinance provides that "The town shall be under no obligation to provide water service upon the tendering of any tap fee payment. The town may become obligated to provide such water service only upon a resolution duly adopted by the town council authorizing the acceptance of such tap fee and the providing of water service and the payment of all fees and the doing of all other things as specified in such resolution as may be adopted by town council."; and

5. WHEREAS, The Town of Washington (ATown@) has expended approximately \$131,000.00 in feasibility, engineering, professional fees and construction costs to date for the

project to upgrade the Town's water system so as to provide adequate reserve capacity for firefighting needs; and

6. WHEREAS, The Town currently anticipates expending approximately an additional \$350,000.00 to \$425,000.00 to complete the Town water upgrade project; and

7. WHEREAS, The Town is currently revising its Comprehensive Plan and as a part of such revision will establish goals and policies relating to the provision of water and sewer service within the Town and as may be provided outside the Town boundaries; and

8. WHEREAS, The Town has received within the past year three applications for the provision of water taps, two of which have been denied and a third is now pending; and

9. WHEREAS, potential water users may seek to secure water taps at this time with no present expectation of actual construction; and the Town wishes to establish policies to insure that water service is available on a first come first serve basis to Town properties which are ready to begin immediate construction of single family residential dwellings; and

10. WHEREAS, the Town wishes to establish policies to insure that water taps are not "parked" thereby tying up the present capacity of the system and possibly preventing persons ready to begin construction from undertaking their projects in the future. "Parked" water taps are taps not being presently used by the person or entities entitled to them; and

11. WHEREAS, the Town wishes to establish now and as may be amended, from time to time, a water tap rate and policy to insure that new customers pay their fair share of the capital costs of the water system; and

12. WHEREAS, this policy will be reviewed and revised as may be necessary or appropriate from time to time as completions to the Town water system are effected and policies,

goals and ordinances relating to the interaction between water taps and sewer taps are finalized;
and

13. WHEREAS, the present Town water system does not have adequate reserve capacity to meet fire needs or other emergency needs as quantified by various state and local agencies and therefor the provision of any present water service or the allocation of any service to any party compounds the present situation which the Town seeks to correct through the upgrade by the present water system to be completed at some time in the future, at which time this policy may be further reviewed and amended as appropriate;

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Washington, Virginia that this water policy is hereby adopted and provides the following:

1. The foregoing recitals are incorporated in their entirety. Each and every recital is independently material to the Council adopting this resolution.

2. That the Town not having a tap fee established, henceforth establishes the water tap fee to be \$5,000.00 for normal single family residential uses for houses containing up to 4 bedrooms within the Town of Washington until amended by further resolution of this Council.

3. The Town shall be responsible for maintaining the meter and the line from the meter to the public supply system provided that such maintenance is not necessitated by the unusual usage of or damage to the meter or system by the user and such maintenance or repair is not occasioned by the acts of the user or the user=s negligence or willful damage to the meter or the Town=s supply system. Maintenance and repair or replacement of all facilities from the meter to and including any structure shall be the sole responsibility of the property owner.

4. That a water tap shall be supplied upon approval by the Town and Council.

Such approval shall be granted only if the following conditions are met:

- a. That the applicant has obtained a building permit, zoning approvals, ARB approvals and all other necessary governmental approvals and permits to begin actual construction of a structure requiring water service.
 - b. Compliance with all provisions and requirements of the 1999 Town of Washington Water Service Ordinance.
 - c. Taps shall be supplied only to users within the Town of Washington which do not place unusual or abnormal demands upon the water system.
 - d. The Town shall not supply customers outside the Town limits except under extreme, unusual or emergency conditions until after adoption of the ordinances and policies implementing sewer service within the Town, revision of the Town Comprehensive Plan and establishment of a comprehensive policy dealing with potential water service being extended outside of the Town boundaries in conjunction with Rappahannock County.
5. That the Town will supply water under this policy to single family residential water users until this policy is amended, but shall not be required to supply water to subdivisions or other divisions where there has been common ownership of the parcels within the past three years of three or more taps. Such service may be provided upon application and review and resolution by the Town Council.
6. This resolution and policy may be hereafter amended from time to time by the Town Council.
7. This resolution shall be deemed severable. If any one or more portions of this resolution shall be deemed invalid or unenforceable for any reason, the remaining provisions shall

nevertheless remain in full force and effect.

8. This policy shall be effective upon adoption.

Done this 12th day of October, 2005.

TOWN OF WASHINGTON, VIRGINIA

BY:



Mayor

Eugene Leggett

ATTEST:

Laura Dodd
Clerk

Voting aye: Mayor Leggett, Reinhardt Lynch, Jerry Goebel, Alice Butler, Jeff Benson, Claudia Mitchell, and Jean Goodine

Voting nay: None

Abstaining: None

Absent: None