

# **Extension Policies for Etowah Utilities Water Department**

Revised 2/25/2008

The following is a policy that refers to such extensions as "access lines" for the purpose of recouping the investment through a water tap provision. Part 1 and Part 2 of this policy shall in no event be applicable to land development in subdivision promotions. Part 3 of this policy applies to subdivisions and land development.

## **1. Access lines inside the City of Etowah:**

The Etowah Utilities Department will install up to 200 feet of access lines to those customers living inside the City of Etowah at no additional charge. For access lines of over 200 feet, there will be a one time charge payable in advance for the extension above the 200 feet minimum based on the actual cost of installation to the Etowah Utilities Department. Any property owner within the access line or adjacent to such line and not obtaining water service at the time the line extension is made will pay a pro-rata fee in addition to their normal tap fee based on the length of property frontage to the access line extended. This pro-rata charge will be used to reimburse a portion of the cost of the access line installation. Customers shall not be reimbursed for any extension covered by grant money or government funds.

All access line extensions and taps for service will be covered by a written contract. After a period of 10 years from the date of the installation of any access line, there will no longer be a contract or pro-rata charge for any customer receiving service from the access line other than the normal tap fee. The City of Etowah Utilities Department reserves the right to add, maintain, replace, repair or access any and all lines used for the distribution of water from its system and maintains all access line extensions are the property and possession of the Utilities Department. All access lines are subject to administrative review and scheduling by said Department and nothing contained herein obligates the Etowah Utilities in any way to install or provide water service to any individual or property owner.

## **2. Access Lines Outside the City of Etowah:**

The Etowah Utilities Department will install up to 100 feet of access lines to those customers living outside the City of Etowah at no additional charge. Outside tap fees will be \$100.00 higher than the tap fee set for customers living inside the City. For access lines of over 100 feet, there will be a onetime charge, payable in advance, for extensions above the 100 feet minimum based on the actual cost of installation to the Etowah Utilities Department. Any property owner within the access line or adjacent to such line and not obtaining water service at the time the line extension is made, will pay a pro-rata fee in addition to their normal tap fee based on the length of property frontage to the access line extended. This pro-rata charge will be used to reimburse a portion of the cost of the access line installation. All access line extensions and taps for service will be covered by a written contract. After a period of 10 years from the date of the installation of any

access line, there will no longer be a contract or pro-rata charge for any customer receiving service from the access line other than the normal tap fee. Customers shall not be reimbursed for any extension covered by grant money or government funds.

### **3. Access Lines to Subdivisions or Land Developments:**

A Subdivision shall be defined as: The division of a tract or parcel of land into two (2) or more lots, sites, or other divisions for the purpose, whether immediate or future, of sale or building development and includes resubdivision; and the definitions of such subdivision shall be restricted to the following:

- a. All such divisions where one (1) or more of the resulting tracts is less than five (5) acres in size;
- b. All such divisions where a new road is required, regardless of the size of any or all of the parcels.

The following are EXCLUDED from the definition of a "subdivision:"

- a. Testamentary division of property;
- b. Partnership division of property between two or more owners of an undivided interest by court order or by deeds;
- c. Divisions where the resulting tracts are all over five (5) acres and all have frontage on an existing publicly-maintained road.

Subdivisions and Land Development extensions shall be one hundred percent (100%) funded by the developer and are not eligible for reimbursement from present or future landowners if they choose to receive water service from Etowah Utilities.

### **4. Applies to All Extensions:**

The City of Etowah Utilities Department reserves the right to add, maintain, replace, repair or access any and all lines used for the distribution of water from its system and maintains all access line extensions are the property and possession of the Etowah Utilities Department. All access lines are subject to administrative review and scheduling by said Department and nothing contained herein obligates the Etowah Utilities in any way to install or provide water service to any individual or property owner.

Any person, firm, corporation or developer within the City of Etowah or within the service area of the Etowah Utilities Water System and desiring service therefrom shall conform to the following provisions regarding extension of such water service to serve the site, or area for which service is desired:

1. At own expense provide detailed plans and specifications for the water facilities required to serve the area.

2. Plans and specifications must conform to standard practices of the Etowah Utilities Department and requirements of the Tennessee Department of Public Health and Tennessee Department of Environment and Conservation.

3. Three sets of plans and specifications bearing approval of the local Regional Planning Commission shall be submitted to the Etowah Utilities Department for review, approval and submittal to the State Health Department. No construction work may be initiated until written approval of the plans and specifications by both the Etowah Utilities Department and the State Health Department is obtained.

4. Construction of the water facilities must be carried out by a competent and reliable Contractor acceptable to the Etowah Utilities Department, and must be in strict accordance with the approved plans and specifications, with necessary minor changes during construction covered by properly executed change orders which must also have been approved by the Etowah Utilities Department.

5. All construction shall be subject to part time or full time inspection by employees of the Etowah Utilities Department at the sole discretion of the Etowah Utilities, but the lack of an inspector on the project shall not relieve the Owner or the Contractor of the responsibility for conforming to the plans and specifications.

6. Owner or developer shall notify the Etowah Utilities Department before beginning construction in order to afford ample opportunity for inspection, and shall also request a final inspection of the completed project.

7. Any materials or workmanship found to be defective or which fails to conform to the plans and specifications shall be corrected to the satisfaction of the Etowah Utilities Department.

8. Upon satisfactory completion of the construction and presentation of evidence that all bills and charges for labor and materials and other services used in the construction have been paid, the Utilities Department will accept the facilities and agree to provide service to the site development or area upon the execution of a proper legal document transferring ownership of the installed facilities, free and clear of all liens and encumbrances, together with any required land, easements or rights-of-way necessary to operate and maintain the facilities, to the City of Etowah Utilities Department.

9. Upon transfer of such facilities, the Etowah Utilities Department will make the required connections to the existing system and will furnish service to each customer within the area or subdivision upon payment of the required connection fees.

10. Nothing herein shall be construed as obligating the Etowah Utilities Department to accept the facilities or provide service unless the provisions of this ordinance and instructions of the Etowah Utilities Department issued pursuant thereto shall have been carried out to the satisfaction of the Etowah Utilities Department.

11. It is the intent of this ordinance and the practice of the Etowah Utilities that all costs related to the extension of water facilities, including design, construction, land, easements, rights-of-way, etc. will be borne by the Owner or developer without any provision for reimbursement, recoupment, waiver of tapping fees, rate discounts or any other special concessions or privileges, except as provided in this policy parts 1 and 2.

12. The Etowah Utilities Department may, at its discretion, participate in the construction cost of certain projects where it is deemed advisable to increase the size, make revisions or otherwise alter the project for the overall benefit of the Utilities, but such participation shall be on the basis of a formal agreement specifically authorized by the City of Etowah Utility Board.