

ORDINANCE NO. 1657

**AN ORDINANCE TO AMEND ORDINANCE 953, AND TO REPEAL
ORDINANCE NO. 675, ORDINANCE NO. 715, ORDINANCE NO. 1411,
AND ORDINANCE NO. 1422, AN ORDINANCE TO AMEND
CHAPTER 21, ARTICLE IV, SEWER, REPLACING SECTION 21-52
CONNECTION REQUIREMENTS AND CONNECTION FEES,
FAIRHOPE CODE OF ORDINANCES**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FAIRHOPE,
ALABAMA, as follows:

ARTICLE IV. SEWERS*

Sec. 21-52 CONNECTION REQUIREMENTS AND CONNECTION FEES

(a) The Specifications for connecting to the sanitary sewer system of the City of Fairhope include:

1. All connections shall be made at, or near, the boundary between the private property being served and the edge of the Right of Way or Easement. The customer is responsible for all maintenance of the service line from the connection up to and within the premises being served.
2. All service line pipe material shall be Schedule 40 PVC or Ductile Iron pipe. A cleanout shall be provided at the point of connection.
3. All work shall be in strict accordance with the current plumbing codes and guidelines adopted by the city of Fairhope. This includes the size of the service line material and the grade it is installed on to meet the flow requirements of the premises. Confirmation of available slope shall be determined by the owner prior to any work.
4. Grease traps, Grit traps and other protective devices shall be installed by the owner, subject to approval of the city of Fairhope building official or the Director of Operations for Utilities. All work must be inspected and approved prior to being backfilled and covered.
5. In no case shall any collection of rain water be allowed to enter the sewer system at any location on the property being served.

Half (1/2) of the tap fee shall be used for operating cost and half (1/2) shall be used for Capital Replacements and Improvements to the Sewer System only.

(b) Connection Fees and Expenses.

1. The Connection Fee schedule is established to recover costs relating to capital needs for treatment and transmission systems. This Capacity Asset Fee is based on an equivalent residential connection, ERC, using 225 gallons per day per ERC.
2. Inside the City of Fairhope city limits:

Meter Size	Capacity Asset Fee	ERC (Commercial)	Max ERC Multi-Family
¾"	\$ 1,500.00	1	1
1"	\$ 3,750.00	2.5	4
2"	\$ 11,250.00	7.5	28
3"	\$ 18,000.00	12	75
4"	\$ 27,000.00	18	125
>4"	As Determined by the Superintendent or Director of Operations		

For multi residential complexes, the Capacity Asset Fee shall not be less than either, 1.) The fee(s) stated above, or 2.) \$1,500.00 multiplied by $\frac{2}{3}$ (Apartments or Condos) or $\frac{1}{2}$ (Hotels or RV Parks) the number of units proposed.

(c) Additional Provisions

1. Outside the City of Fairhope city limits:

A multiplier of 1.5 shall be applied to the Capacity Asset Fee to determine the fee for connections out of the City of Fairhope city limits.

2. Connection Requirements:

When a gravity connection (lateral) is not available to the property requesting service, the owner shall be responsible for all costs relating to providing said service. The City of Fairhope, when possible, may provide a cost estimate of labor, materials and any repair of concrete or asphalt to the owner for this work. The owner may elect to use a licensed plumber, at his expense, for the installation if so desired. All such work must be inspected and approved prior to acceptance. The outside the city multiplier does not apply to any connection related costs required in this paragraph.

3. Miscellaneous Fees and Charges:

Where gravity sewer main extensions are required to serve a customer or a new development, the cost to provide the minimum needed sewer capacity, including all subsequent phases of the proposed project, will be the responsibility of the customer or developer. The City of Fairhope may elect to upgrade, or upsize, the minimum requirement to accommodate future growth potential at no additional cost to the customer or developer. Properties served from said upgrades, or where existing infrastructure has been provided by others, or installed after October 1, 2019, shall pay a Wastewater Access Fee, at the time of development, equal to \$35.00 per equivalent front foot of the property along the Right of Way from which the property is served. Equivalent front foot shall be equal to the frontage along the Right of Way from which service is provided or the square root of the area of the property, in feet, times \$35.00. When developments connect to an existing force main, the developer shall pay a Wastewater Access Fee equal to \$15.00 per equivalent front foot as defined above. A single-family residential connection (gravity or force main) shall be allowed on a single property with a maximum Wastewater Access Fee equal to a footage of 100 linear feet applied to an Access Fee of \$35.00 per linear foot. Subsequent subdivisions of such single-family properties will be required to pay the full Access Fee. The outside the city multiplier does not apply to any Wastewater Access Fee.

All proposed developments that require off site extensions for service shall participate in the cost of the off-site extensions, including the cost of any upgrades, at a minimum total cost equal to the Access Fee. The City may determine an economic limit to any amount of additional funding required between the total cost of the extension and the value of the Access Fee calculated for such off-site extensions. the balance of which would be added to the Access Fee charged to the developer.

(d) Penalty for Violation

Any person found guilty of violating any provision of this ordinance or of doing any act made unlawful by this ordinance shall be punished as provided in Section 1-8 of the Code of Ordinances of the City of Fairhope, Alabama.

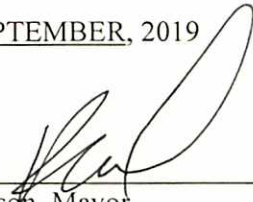
SEVERABILITY

The sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by a court of competent jurisdiction, then such ruling shall not affect any other paragraphs and sections, since the same would have been enacted by the municipality council without the incorporation of any such unconstitutional phrase, clause, sentence, paragraph or section.

EFFECTIVE DATE

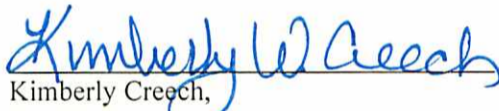
This ordinance shall take effect immediately upon its due adoption and publication as required by law.

ADOPTED THIS THE 9TH DAY OF SEPTEMBER, 2019



Karin Wilson, Mayor

Attest:



Kimberly Creech,
City Treasurer

Ord. No. 1657 Published in
FAIRHOPE COURIER
on September 25, 2019
Lisa Hanks City Clerk
Wynne Doyle Secretary