

ORDINANCE NO. 1658

**AN ORDINANCE TO AMEND ORDINANCE 953, AND TO REPEAL
ORDINANCE NO. 675, ORDINANCE NO. 1196, AND ORDINANCE NO. 1217,
AN ORDINANCE TO AMEND CHAPTER 21, ARTICLE III, WATER,
REPLACING SECTION 21-32 CONNECTION FEES AND EXPENSES
FAIRHOPE CODE OF ORDINANCES**

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

ARTICLE III. WATER

Sec. 21-32 CONNECTION FEES AND EXPENSES:

(a) The City of Fairhope has established fees for metered connections to the water system based on an equivalent residential connection, ERC, using an average daily volume of 250 gallons. The total connection fee is a combination of costs that include a Capacity Asset Fee and an Installation Fee. The Capacity Asset Fee, for each new service, is to recover cost relating to the capital investment required to provide the source water (groundwater wells), treatment facilities and ground or elevated storage tanks and capital funding necessary to maintain said facilities. The fee will also provide capital funding for capacity improvement projects where growth or hydraulic capacity requirements to support needed fire flows are recommended.

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 Water System only.

(b) The Installation Fee, if required, is to recover the material and labor costs to install the service when an existing service to the property is not available. The Capacity Asset Fee and the Installation Fee are one-time fees to provide water service to a specific location and cannot be transferred to another site. Any water service upgrades to a location will be determined as the difference between the existing Capacity Asset Fee and the proposed Capacity Asset Fee. Installation upgrades will be based on the Installation Fee schedule for the Meter size of the requested upgrade.

(c) There are hereby established connection fees for new connections to city water service as follows:

1. Inside the City of Fairhope City Limits:

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

For multi-residential, master metered complexes, the Capacity Asset Fee shall not be less than the either, 1.) The fee(s) stated above, or 2.) \$1,500 multiplied by 2/3 (Apartments or Condos) or ½ (Hotels or RV Parks) the number of units proposed. Installation Fee is based on meter size.

2. Outside the City of Fairhope city limits:

A multiplier of 1.5 shall be used to determine the fee for connections out of the City of Fairhope city limits using the fee calculated, based on meter size and any required installation fee determined in 1. above.

3. Irrigation:

Where an existing water customer desires a separate water meter for irrigation, the City of Fairhope may install a second water meter, using the existing service main at a cost equal to the Installation Fee stated above, to be used with an automatic sprinkler system. The size of the Irrigation meter shall be no larger than the existing meter. The Irrigation (water only) service shall be billed at the same rate of the primary meter of the existing service, or an approved "Irrigation Rate". The usage will not be included in the sewer portion of the bill for the account.

4. Miscellaneous Fees and Charges:

A. Where water main extensions or upgrades are required to serve a customer or a new development, the cost to provide the minimum needed water capacity, including fire protection, will be the responsibility of the customer or developer. The City of Fairhope may elect to upgrade or upsize the minimum requirement at no additional cost to the customer or developer.

B. Where a fire protection system requires an unmetered fire main/sprinkler system, the customer shall be responsible for all costs associated with the unmetered service, including a service tap on the main, with isolation valve and approved backflow prevention device at the edge of Right of Way or easement. A fire department connection shall be included on the discharge side of the backflow prevention device.

C. Where reduced pressure backflow devices are required, the customer shall be responsible for the installation and maintenance of such devices.

5. 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.

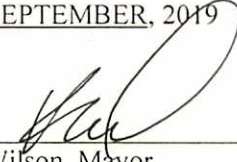
SEVERABILITY

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.

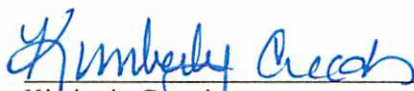
EFFECTIVE DATE

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. 1658 Published in
FAIRHOPE COURIER
on September 25, 2019
Xisa Hanks - City Clerk
by Blake Fogarty