

City of Southlake Policies and Procedures

Policy: Sanitary Sewer Connection Incentive Program
Approved By: City Council
Category: Administrative
Effective Date: January 6, 2009 (Resolution 08-050)
Revised Date: November 17, 2009

I. Statement of Purpose

The Town of Southlake was incorporated on September 22, 1956 through a special election. At that time, Southlake was a rural area and no nearby regional wastewater treatment facilities were in existence. In December of 1965, the name was changed to the City of Southlake.

In July of 1988, the City Council adopted Ordinance No. 440 which required the installation of sewerage collection systems. Up until the beginning of the 1990's, most of Southlake was served through the use of septic systems contained within each property. In the early 1990's, a developer extended the sanitary sewer collection system to build the Southridge Lakes Addition. This action spurred additional residential development south of the present day SH 114.

Today, the City's wastewater treatment needs are met by the Trinity River Authority. The area of the city, generally located north of SH 114, sewers to the TRA Denton Creek Wastewater Treatment Plant located in Roanoke, Texas. The area, located generally south of SH 114, sewers to the TRA Central Wastewater Treatment Plant located in Dallas, Texas.

The City of Southlake has developed a program referred to as the Neighborhood Sewer Program to bring sanitary sewer collection facilities to the early developed properties that did not have sanitary sewer available at the time of development. The city constructs these improvements primarily through use of funds generated from utility services revenue. While the city makes a significant investment in the construction of these aforementioned facilities, the overall goal of the program is not complete until individual residences and properties connect to the city's waste water collection system. Therefore, the City Council has chosen to implement a connection incentive program to encourage residents to make a timely investment in connecting to the newly constructed wastewater collection system in their vicinity. The incentive program shall be administered by the staff under the terms established in this policy.

II. Definitions

- A. Neighborhood Sewer Program – A specific type of Capital Improvement Program which provides for the construction of sanitary sewer collection facilities and appurtenances in order to provide a specified area of the city with the ability to collect sanitary sewerage from specific properties and convey the sewerage to a treatment facility.
- B. Capital Improvement Program - A plan, adopted by the City Council, on an annual basis which establishes a five (5) year funding schedule for the purchase, construction or replacement of physical assets of the City.
- C. Developer Constructed Project – For purposes of this policy, a project constructed and funded, in part or in entirety, by a developer in which on-site and/or off-site public sanitary sewer improvements are made available for connection by property owners located outside of the perimeter of the subject addition.
- D. Disabled Person – means any person who suffers from a disability as defined by the Americans with Disability Act of 1990, 42 U.S.C. Sections 12101, *et seq.*, as amended.
- E. Elderly Person – means any person who is sixty-five (65) years of age or older.
- F. Fee Schedule – For purposes of this policy, the most recent document, adopted and amended, by the City Council which establishes various fees charged to users of city services.
- G. Tap Inspection Fee - a fee established for City of Southlake staff to inspect a connection by a licensed Plumber to the City's sanitary sewer collection system for the purpose of insuring appropriate connection methods to prevent escape of sanitary sewer flow from the collection system. The fee is adopted annually as part of the fee schedule. Generally speaking, city staff does not construct sanitary sewer taps.
- H. Sanitary Sewer Tap Fee – a fee which represents the cost of constructing the actual sanitary sewer tap and service line extension to the property line. This fee is established by the annual city fee schedule.
- I. Participation Fee - This is the amount that has been determined that is required for connection to the city's waste water collection system that has been installed via the Neighborhood Sewer Program. The current participation fee is indicated on the city's fee schedule adopted by the City Council. This participation fee was adopted by the City Council on July 18, 1995 by Resolution No. 95-28. This fee is repealed by Resolution 08-050.

- J. Sanitary Sewer Impact Fee – a fee established by the City Council, authorized under Chapter 395 of the Texas Local Government Code, as amended (“Chapter 395”) and by the Southlake City Charter which is imposed to finance public facilities, the demand for which is generated in a designated service area.
- K. Septic to Sewer – The process of transferring a property’s waste disposal system from a septic system to connecting to the city’s waste water collection system.

III. Authorization of Staff Administration of Program

The staff is authorized by this policy to administer the Sanitary Sewer Connection Incentive Program thus establishing the term of the incentive program associated with specific Neighborhood Sewer program projects.

IV. Applicability of Fees

An individual connection requires the payment of fees applicable to the conditions of the connection. Not all fees defined in this policy will be charged for each connection. The fees required may also be based on the manner of construction and conditions surrounding the financing method (i.e., developer vs. CIP), of constructing the sanitary sewer main. A wastewater impact fee is to be paid at all times.

V. Incentive

The incentive offered will be in the form of a waiver of the current wastewater tap fee or a portion thereof in effect at the time of acceptance of the subject public improvements as established in the city’s fee schedule. The amount of the Tap fee is defined by the latest version of the annual Fee Schedule adopted by the City Council. This incentive offered is for a specific project and is offered for a limited time defined in Section VI of the policy. Connection to other previously constructed sanitary sewer facilities are not available for the incentive offer unless authorized specifically by the City Council under other circumstances outlined by action other than this policy.

VI. Duration of Incentive Offer

The duration of the above mentioned sanitary sewer connection one hundred percent (100%) incentive offer is limited to 180 days from the date of acceptance of the public improvements for an individual project. From Day 181 through Day 365, the sanitary sewer connection incentive is offered at the rate of Fifty percent (50%) of the current wastewater tap fee. After the 365th day from the date of acceptance of the public improvements, any resident connecting to the sanitary sewer system is not eligible for participation in the sanitary sewer connection incentive program.

To be considered connected, a Plumbing Permit application must be completed by a Licensed Plumber with the Building Inspection Department prior to the expiration of the defined incentive period, all applicable fees paid (notwithstanding a payment plan approved by the Finance Director), the actual connection work having been completed and a green tag from Building Inspection must have been issued within the defined incentive period (outlined above). These aforementioned items must be complete in order to receive the incentive offer.

Notification of the Neighborhood Sewer Program (NSP) connection incentive program to the affected property owners will be via certified mail.

VI. Director of Public Works Authorized to Extend Incentive

The Director of Public Works is authorized under this policy to extend the Neighborhood Sewer Program (NSP) connection incentive to any elderly and disabled individuals residing in the city at any time, provided such residents have a household income which is less than two hundred percent (200%) of the Federal Poverty Level.

Application for the Neighborhood Sewer Program (NSP) connection incentive program hardship extension shall be made to the Public Works Department. The applicant will need to demonstrate the ability to meet the aforementioned conditions by submitting documentation (i.e., drivers license or other ID, last year's federal tax return) which meets the conditions outlined for this provision.