To: Gary Gunter 3/27/06

ORDINANCE NO. 104-06

AN ORDINANCE TO ESTABLISH DEVELOPMENTAL
SEWER ASSESSMENT FEES

BE IT ORDAINED by the City Council of the City of Opelika, Alabama as follows:

Section 1. That the Code of Ordinances of the City of Opelika is hereby amended by adding a section, to be numbered Section 28-108, as follows:

Section 28-108. Assessment Fees:

(a) It is hereby determined and declared that the City is entitled to impose a reasonable developmental sewer assessment fee upon any person tapping, cutting or connecting onto its sanitary sewer lines within the corporate limits of the city for any structure, building, dumping station or other use for the cost of decreasing the reserve capacity of sewer lines or treatment facilities. A developmental sewer assessment fee in the amount of One Thousand, Two Hundred Fifty Dollars ($1,250.00) shall be computed and assessed for each **equivalent average connection** where such connection is located within the corporate limits of the City of Opelika plus an additional twenty-five per cent (25%) when said connection is made outside the corporate limits. An equivalent average connection shall be considered to be usage of approximately 9,000 gallons of water or less per month and shall be applied according to the following table;

1. Single family homes and Trailers	- one (1) equivalent average connection
2. Multi-family homes/duplexes	- two (2) equivalent average connections
Triplexes	- two and one-half (2½) equivalent average connections
Quadraplexes	- three (3) equivalent average connections
More than four units	- two-thirds (2/3) equivalent average connection per unit
3. Retail Sales	- one (1) equivalent average connection per restroom
4. Motels and Hotels	- one-third (1/3) equivalent average connection per room less twenty-five percent (25%) of the certification of expected water usage by a registered engineer
5. Restaurant	- one (1) equivalent average connection plus one (1) equivalent average connection per restroom plus one (1) equivalent average connection for each twenty (20) seats over forty (40)

6. General Business	- one (1) equivalent average connection per restroom plus one (1) equivalent average connection for each ten (10) employees over twenty (20)
7. Industry	- same as General Business if water is not used in industrial process, otherwise a registered engineer must certify water usage
8. Hospitals, Nursing Homes and other Institutions	- one-third (1/3) equivalent average connection per bed less fifteen percent (15%)
9. Auto Service/Convience Stations	- two (2) equivalent average connections per restroom
10. Trailer camps or Recreation/ Vehicle parks	- one (1) equivalent average connection for each three (3) spaces served by on-site sewer connection or one (1) equivalent average connection per each six (6) spaces served by a dump station
11. Schools	- one (1) equivalent average connection per each fifteen (15) students design capacity or certification of water usage by a registered engineer

(b) The developmental sewer assessment fee as provided above shall be paid by the owner of each premises requiring a sanitary sewer connection upon the approval of a building permit [redacted] for such premises.
and/or business license or use change

(c) The developmental sewer assessment fees levied and imposed above shall be in addition to all or tapping fees, service charges, consumption charges and demand charges now imposed by law.

(d) Any or all of the above fees may be waived by the Mayor for premises connected to sewer lines constructed in whole or part with Community Development Block Grant (CDBG) funds provided by the Federal Government where such connection is made to the home or dwelling of lower or moderate income person as defined in the Grant application or documents.

(e) The City Council may, in its discretion, waive any or all of the above fees for the promotion of local economic and industrial development subject to the provisions of Amendment No. 642 of the Constitution of Alabama of 1901.

(f) This ordinance shall be administered by the City Administrator.

Section 2. The provisions of this ordinance are severable. If any section, subsection or provision of this ordinance be for any reason declared void or invalid, such invalidity shall not affect any other section, subsection or provision of this ordinance.

Section 3. This ordinance shall become effective immediately upon its passage and publication as required by law.

Section 4. The City Clerk is hereby authorized and directed to publish this ordinance one (1) time in the Opelika-Auburn News, a newspaper of general circulation within the City of Opelika, Alabama.

ADOPTED AND APPROVED by the City Council of the City of Opelika, Alabama on this the 21st day of February 2006.

PRESIDENT OF THE CITY COUNCIL OF THE CITY OF OPELIKA, ALABAMA

ATTEST:

CITY CLERK

TRANSMITTED TO MAYOR on this the 21st day of February 2006.

CITY CLERK

ACTION BY MAYOR

APPROVED this the 21st day of February 2006.

MAYOR

ATTEST:

CITY CLERK