

§ 191-14. Assessment.

The following procedures have been established in order to recover the cost of sewage works, including but not limited to treatment facilities, planning, design, constructing, managing, operating, and maintaining the wastewater treatment and collection systems. These costs shall be recovered by the collection of assessments. Assessments are subject to change as the associated costs change.

A. Assessment charge.

(1) The Town Council shall, by ordinance amendment, adopt an assessment charge for real property (improved and unimproved) from time to time. The assessment charges shall be used for the purpose of recovering capital cost of the Town's sewage works, including but not limited to all or such portion of the Town's share of the capital cost of the WWRWTF against residential and nonresidential properties. The assessment charges will be based upon a unit rate per gallon of daily design flow as follows:

(a) Residential dwelling rate (\$) ____/gallon per day (GPD).

(b) Nonresidential rate (\$) ____/gallon per day (GPD).

(2) The unit rates shall be established by the Town Council and shall be available to the public.

B. Notwithstanding the foregoing, the Town shall have discretion to defer sewer assessment against parcels of land if the owner of such parcel, within 10 years of the date of the sewer assessment, has installed a new septic system, provided that such parcel shall remain subject to assessment and shall begin paying such assessment within ten (10) years from the date of OWTS conformance certified by RIDEM.

C. Parcels of real property (improved and unimproved) which are not included in a specific sewered district not yet connected to the POTW, but which, in the future, may connect into the POTW will be charged a sewer assessment, upon connection to said POTW, as outlined in this section.

D. Residential and nonresidential assessments.

(1) The assessments are as follows:

(a) Residential assessments:

[1] Minimum assessment: $2 \text{ (BR)} \times 115 \text{ GPD/BR} \times \text{Residential Rate/GPD}$.

[2] Residential dwellings: $\# \text{Bedrooms (BR)} \times 115 \text{ GPD/BR} \times \text{Residential Rate/GPD}$.

[3] Mobile homes: $\# \text{Bedrooms (BR)} \times 115 \text{ GPD/BR} \times \text{Residential Rate/GPD}$.

- [4] Residential assessments are limited to properties described as "residential" property with residential use within the Town's property records. All other properties are subject to nonresidential assessments, including multiunit residential properties with seven or more bedrooms.
- (b) Nonresidential assessments:
- [1] Minimum assessment: $200 \text{ GPD} \times \text{nonresidential rate/GPD}$.
- [2] All nonresidential properties with design flows between 0 to 6,000 GPD: $\text{daily design flow (GPD)} \times \text{nonresidential rate/GPD}$.
- [3] All other nonresidential properties with design flows greater than 6,000 GPD: $6,000 \text{ (GPD)} \times \text{nonresidential rate/GPD} + (\text{each gallon over } 6,000 \text{ GPD} \times 0.70 \times \text{nonresidential rate/GPD})$.
- (2) The residential assessment shall be based upon a unit rate (\$)/daily design flow (GPD), where the daily design flow (GPD) values are established by RIDEM regulations. Each residential assessment will be a minimum assessment per bedroom of 115 GPD, with a minimum two-bedroom (230 GPD) assessment per property.
- (3) The nonresidential assessment shall be based upon a unit rate (\$)/daily design flow (GPD) for flows below 6,000 GPD. Where the daily design flow (GPD) exceeds 6,000 GPD, a reduced rate (\$)/GPD will apply to each additional gallon of daily design flow over 6,000 GPD. All daily design flows are established by RIDEM regulations. All assessments will be in accordance with § 191-14.
- (4) For example, using a residential rate of \$43.48/GPD and a nonresidential rate of \$80.00/GPD:
- (a) A three-bedroom residential dwelling using 115 GPD/bedroom will translate to: $3 \times 115 \text{ GPD} \times \$43.48/\text{GPD} = \$15,000.60$.
- (b) A nonresidential facility using 6,000 GPD will translate to: $6,000 \text{ GPD} \times \$80.00/\text{GPD} = \$480,000.00$.
- (c) A nonresidential facility using 7,000 GPD will translate to: $6,000 \text{ GPD} \times \$80.00/\text{GPD} + (1,000 \text{ GPD} \times 0.70 \times \$80.00/\text{GPD}) = \$536,000.00$.
- (d) Vacant land shall be assessed and subject to the minimum assessments indicated in this section. The Town Council may defer assessment charges for vacant land that is restricted and considered undevelopable if supporting documentation is submitted proving such restriction, and that assessment charges be paid when such property is available for development, and provided a municipal lien be placed upon the property at the time of initial assessment for the initial assessment amount.

- E. Assessments for real property located outside of the Town's boundaries requesting connection to the POTW shall be subject to assessments indicated in Subsections D and G. The parcel owner applying to connect to the POTW shall furnish a bond, at the owner's expense, with surety to the Town of Coventry, on the form furnished by said Town, with the application to connect to Town's sewer system. Assessment charges shall be paid in full prior to connecting to the POTW.
- F. Assessments for privately built sewers on private property. Notwithstanding any other provisions of this chapter, it is hereby determined that sanitary sewer lines built on private property by, and at the expense of, a private party shall be subject to assessments indicated in Subsection D.
- G. Betterment assessments shall apply to assessments for properties serviced by public sewers, which are privately built, on public property and to all properties that propose a change in use, or an increase in daily flow (GPD), after the initial assessment date. Properties that propose a change in use, or an increase in daily flow (GPD) after the initial assessment date, are subject to both initial assessment and betterment assessments.
- (1) Assessments for privately built sewers on public property. Notwithstanding any other provisions of this chapter, it is hereby determined that a public sanitary sewer line built by and at the expense of a private party within an existing or proposed public highway or public right-of-way, in which sanitary sewer is to become the property of the Town, and connected to the POTW, the following betterment assessments shall apply.
- (a) Residential betterment assessments:
- [1] Minimum assessment: $2 \text{ (BR)} \times 115 \text{ GPD/BR} \times 0.25 \text{ Residential Rate/GPD}$.
 - [2] Residential dwellings: $\# \text{Bedrooms (BR)} \times 115 \text{ GPD/BR} \times 0.25 \text{ Residential Rate/GPD}$.
 - [3] Mobile homes: $\# \text{Bedrooms (BR)} \times 115 \text{ GPD/BR} \times 0.25 \text{ Residential Rate/GPD}$.
- (b) Nonresidential betterment assessments:
- [1] Minimum assessment: $200 \text{ GPD} \times 0.25 \text{ nonresidential rate/GPD}$.
 - [2] All nonresidential properties with design flows between 0 to 6,000 GPD (gallons per day): $\text{daily design flow (GPD)} \times 0.25 \text{ nonresidential rate/GPD}$.
 - [3] All other nonresidential properties with design flows greater than 6,000 GPD (gallons per day): $6,000 \text{ (GPD)} \times 0.25 \text{ nonresidential rate/GPD} + (\text{each gallon over } 6,000 \text{ GPD} \times 0.175 \times \text{nonresidential rate/GPD})$.

- (2) All properties that propose a change in use, or an increase in daily flow, after the initial assessment date shall be subject to a betterment assessment as specified in Subsection G.
 - (3) Betterment assessments for all properties that propose a change in use, or an increase in daily flow, after the initial assessment date will be billed as a secondary assessment, in addition to the initial assessment, and shall be based upon the increased flow volume (GPD) only.
- H. Assessments outlined in Subsection G shall be payable by the parcel owner annually over not more than 20 years, commencing the year following sewer installation, unless otherwise specified. Interest on the unpaid balance shall be 6%, such same rate to apply until the assessment is paid in full. Any assessment may be paid in full at any time. Unpaid assessments shall be liened and foreclosed upon in accordance with the general statutes governing the collection of taxes. Assessments for parcels outside of the Town's boundaries shall be paid in full by the parcel owner prior to connecting to the POTW.
- I. Sewer pumps. If it is necessary for the property owner to install a grinder pump for an existing property, that is located along the Town's low pressure sewer (LPS), the Town will credit the residential property assessment charge in the amount of \$5,000, and the nonresidential property assessment charge in the amount of \$9,000. If it is necessary to install a grinder pump for an existing residential dwelling that is located in a low lying area along the Town's gravity sewer system, the Town will credit the residential assessment charge for that property by the amount of \$5,000. The property owner or agent shall submit a plan proving to the Town that the property is too low to connect to the Town's gravity system by conventional gravity means. The plan shall identify, at a minimum, the future connection from the lateral sewer to the building, including the elevation of the building sewer at the street line, elevation of the finished first floor, elevation of the top of foundation, elevation of the basement floor, and elevation of the building drain to which the building sewer would be connected. The owner of any parcel requiring a pump will be responsible for the cost of furnishing, installing, operating, maintaining, and servicing any pump that may be required. Any pump proposed for use is required to be approved by the Town. The Town will not provide a pump for any parcel of property.
- J. Future sewer users shall be notified by public posting, advertisement, or mail that the users' property will have access to the public sewer use and that such property will be subject to assessment. Future sewer users shall also be notified by public posting, advertisement, or mail when project construction is scheduled to begin and when the public sewer is available to the user for connection. But nothing herein shall be construed to diminish the Town's right to collect or the user's obligation to pay any sewer assessment.

- K. Assessments collected in excess of the bond indebtedness shall be retained in the Town's Sewer Fund to be used for capital improvements projects. The funds within the Sewer Fund shall be retained in an account for renewal and replacement of capital equipment and/or the reduction of existing and future debt repayment. All assessed funds shall be held in a special revenue account (Town of Coventry Sewer Fund) under the custody of the Finance Director, Town of Coventry. This fund shall be designated for use by the Town of Coventry for sewer related purposes.