

**Committee of the Whole
Downtown Municipal Sewer and Water Fees**

Mayor Mark D. Boughton
Members of the Danbury City Council

Council President Cavo called the Committee of the Whole meeting to order at 7:50pmon November 22, 2011.

Present were Council Members: Robert Arconti, Philip Curran, Nancy Deep-Damici, Philip Colla, Don Taylor, Joseph Cavo, Fred Visconti, Jack Knapp, Benjamin Chianese, Paul T. Rotello, Mary Teicholz, Joseph Scozzafava

PRESENT: 12 ABSENT: 9

Council Members Riley was recovering from an illness, Seabury was out of town, Stanley was attending a funeral, Nagarsheth was working, Halas was attending a family function, Saadi had a military obligation, Trombetta was working, Nero was attending to a family matter and Perkins was working.

Robin Edwards, Corporation Counsel, Laszlo Pinter, Deputy Corporation Counsel and Robert Yamin, Corporation Counsel were also present.

Item #2 Downtown Municipal Sewer and Water Fees- Code of Ordinance, Section 16-4 and Section 21-48

Council Member Teicholz moved to recommend the adoption of the proposed amendments to Code of Ordinance, Section 16-4 and Section 21-48, seconded by Council Member Colla. Atty. Edwards gave a brief overview of the proposed amendments. Reduced connection and permits fees would be available for the properties located in the Downtown Revitalization District.

Dennis Elpern, Director of Zoning, reiterated that the study has been approved for the Revitalization Task Force as an incentive to attract development to the downtown district.

Eleven Council Members voted in favor of the main motion. Joseph Scozzafava abstained.

Respectfully submitted,

Joseph Cavo, President



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

CITY COUNCIL

_____ A.D. 2011

Be it ordained by the City Council of the City of Danbury:

That Section 16-4 of the Code of Ordinances of Danbury, Connecticut, is hereby amended to read as follows:

Sec. 16-4. - Connection permits required; connection fee; refunds; penalty for violations.

(a) *Permit.* No person shall make any connection with any public sewer or increase the volume discharged or decrease the volume discharged to any public sewer without a permit from the City Engineer and the Superintendent of Public Utilities. No such permit shall be issued until the applicant has paid a nonrefundable permit fee of two hundred twenty five dollars (\$225.00) to cover administrative costs associated therewith except the permit fee for all properties located in the Downtown Revitalization Overlay Zone, as specified in the Zoning Regulations, shall be one hundred dollars (\$100.00). All such permits shall be valid for a period of one (1) year from the date of issuance. Every permit issued hereunder shall be subject to the rules and regulations of the Danbury Department of Public Works.

(b) *Connection fee.* If no prior sewer assessment established in accordance with the provisions of section 16-50 of the Danbury Code of Ordinances has been paid on the premises to be connected to said sewer, or with respect to which the use is to be changed by adding residential units or expanding the floor area of nonresidential or mixed uses, then no permit shall be issued until a connection fee is paid to the City of Danbury according to the following:

- (1) (a) Except as otherwise provided herein, the connection fee for buildings devoted to residential uses shall be one thousand seven hundred fifty dollars (\$1,750.00) per dwelling unit.
- (b) The connection fee for buildings located within the C-CBD zoning district and the Downtown Revitalization Overlay Zone and devoted to residential uses shall be five hundred ninety five dollars (\$595.00) per dwelling unit, but in no event shall said connection fee exceed two thousand nine hundred seventy five dollars (\$2,974.00) per building; and
- (2) (a) Except as otherwise provided herein, the connection fee for buildings devoted to either nonresidential or mixed uses shall be as follows:

Building Size (Floor Area s.f.)	Connection Fee
up to 5,000 s.f.	\$ 2,975.00
from 5,001 s.f. to 10,000 s.f.	\$11,890.00
from 10,001 s.f. to 25,000 s.f.	\$23,780.00
from 25,001 s.f. to 50,000 s.f.	\$35,670.00
over 50,000 s.f.	\$59,450 plus \$120.00 for each 1,000 s.f. or part thereof over 50,000 s.f.

(b) The connection fee for buildings located within the C-CBD zoning district and the Downtown Revitalization Overlay Zone and devoted to either nonresidential or mixed uses shall be as follows:

Building Size (Floor Area s.f.)	Connection Fee
up to 5,000 s.f.	\$2,975.00
from 5,001 s.f. to 10,000 s.f.	\$5,945.00
from 10,001 s.f. to 25,000 s.f.	\$11,890.00
from 25,001 s.f. to 75,000 s.f.	\$17,835.00
over 75,000 s.f.	\$23,780.00

Whenever a change in use results in the addition of residential units or the expansion of the floor area of a nonresidential or mixed use, the connection fee associated with said change in use shall be calculated by subtracting the connection fee that would be due hereunder for the old use from the connection fee that would be due hereunder for the new use.

(c) *Refund.* Said connection fee may be refunded if no actual connection is made prior to the expiration of the connection permit; provided that a written request for said refund is made within five (5) years of the date on which the permit is issued.

(d) *Penalty for violation.* Any person violating any of the provisions of this section shall be subject to a fine of not more than one hundred dollars (\$100.00).



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

CITY COUNCIL

_____ A.D. 2011

Be it ordained by the City Council of the City of Danbury:

THAT Subsection 21-48 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 21-48. Connection charges.

(a) *Connection fee.* If no prior water assessment has been paid on the premises to be connected to the Danbury public water system pursuant to section 21-56 et seq. hereof, then no connection permit shall be issued and no actual connection made until a connection fee is paid to the city according to the following:

- (1) (i) Except as otherwise provided herein, the connection fee for buildings devoted to residential uses shall be fifteen hundred and ninety dollars (\$1,590.00) per dwelling unit.
- (ii) The connection fee for buildings located within the C-CBD zoning district and the Downtown Revitalization Overlay Zone, as specified in the Zoning Regulations, and devoted to residential uses shall be five hundred thirty dollars (\$530.00) per dwelling unit, but in no event shall said connection fee exceed two thousand six hundred fifty dollars (\$2,650.00) per building; and
- (2) (i) Except as otherwise provided herein, the connection fee for buildings devoted to either nonresidential or mixed uses shall be as follows:

Building Size (Floor Area s.f.)	Connection Fee
up to 5,000 s.f.	\$ 2,650.00
from 5,001s.f. to 10,000 s.f.	\$ 10,600.00
from 10,001 s.f. to 25,000 s.f.	\$ 21,200.00
from 25,001 s.f. to 50,000 s.f.	\$ 31,800.00
over 50,000 s.f.	\$ 53,000.00 plus \$100 for each 1,000 s.f. or part thereof over 50,000 s.f.

(ii) The connection fee for buildings located within the C-CBD zoning district and the Downtown Revitalization Overlay Zone and devoted to either nonresidential or mixed uses shall be as follows:

Building Size (Floor Area s.f.)	Connection Fee
up to 5,000 s.f.	\$ 2,650.00
from 5,001s.f. to 10,000 s.f.	\$ 5,300.00
from 10,001 s.f. to 25,000 s.f.	\$ 10,600.00
from 25,001 s.f. to 75,000 s.f.	\$ 15,900.00
over 75,000 s.f.	\$ 21,200.00

(3) With respect to all new water services requiring a meter exceeding one (1) inch in size and with respect to all changes of property use by a customer that results in the need for a meter exceeding one (1) inch in size, the cost of meter acquisition and installation shall be paid by the customer. Said costs shall be in addition to the connection fees described herein. For purposes of this section, meter acquisition and installation costs shall be set by the Superintendent of Public Utilities and shall be generally equivalent to the cost of equipment, materials and services paid by the city.

Whenever a change in use results in the addition of residential units or the expansion of the floor area of a nonresidential or mixed use, the connection fee associated with said change in use shall be calculated by subtracting the connection fee that would be due hereunder for the old use from the connection fee that would be due hereunder for the new use.

- (b) *Permit.* No permit shall be issued until the applicant has paid a nonrefundable permit fee of two hundred twenty five dollars (\$225.00) to cover administrative costs associated therewith except the permit fee for all properties located in the Downtown Revitalization Overlay Zone shall be one hundred dollars (\$100.00).
- (c) *Exception.* The foregoing connection fees shall not apply to fire service connections.
- (d) *Refunds.* Such connection fee may be refunded if no actual connect is made prior to the expiration of the connection permit; provided, that a written request for the refund is made within five (5) years of the date on which the permit is issued.
- (e) *Penalty for violation.* Any person violating any of the provisions of this section shall be subject to a fine of not more than one hundred dollars (\$100.00).