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~AD HOC REPORT~
Water & Sewer Connection Charges-Ord.16-4 and 21-48
Monday, March 21, 2016

Chairman Philip Curran called the meeting to order at 6:04 p.m. on Monday, March 21, 2016, in the Caucus Room, 3rd Floor, Danbury City Hall, 155 Deer Hill Avenue. Present were Committee Members John Priola and Ben Chianese. Also present were Ex-Officio Member Joe Cavo, Chair of the Water Pollution Authority; Les Pinter, Deputy Corporation Counsel; and David Day, Utilities Superintendent.

Mr. Pinter reviewed the proposed change to the water and sewer connections ordinance. Currently, the only connection exceptions are for those who have paid assessments. This allows an additional waiver or exception - if a previous connection charge was paid and the disconnection was temporary for purposes of construction such as a rebuild, then they would be exempt. He responded to Mr. Curran, that this stands regardless of ownership; however, if additional units are added, they would be charged for those. What charges are fair and reasonable were discussed.

Mr. Chianese and Mr. Curran received answers to several inquiries as follows: the exemption would stand regardless of various owners for one unit regardless of additional bathroom additions; however, if additional housing units or additional apartments are added, they would be charged for those.

Mr. Day responded to questions regarding what happens when termination occurs, the person is advised to put in a meter pit so that the minimum can be charged, or a flat rate will be charged. Some choose to terminate then are treated as a new customer. Mr. Cavo concurred with Mr. Day that the proposed change would be a fair way to deal with various situations that arise.

A motion was made by Councilman Priola, and seconded by Councilman Chianese, to recommend to the City Council that, as the Water Pollution Control Authority, an Amendment to the Code of Ordinances Section 16-4. Sewer and 21-48 Water authorizing the waiver of connection fees where such fees were already paid on the same property unless there is a change of use. The motion passed unanimously.

Chair Curran directed that the Ad Hoc Committee be adjourned. No objections, so ordered at 6:22 p.m.

Respectfully submitted,

Phil Curran, Chairman

John Priola

Ben Chianese



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

CITY COUNCIL

_____ A.D. 2016

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

24-1

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

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 discharge 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 forty five dollars (\$245.00) to cover administrative costs associated therewith, except the permit fee for all properties located in the Downtown Revitalization Overlay Zone shall be one hundred five dollars (\$105.00). 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 connection fee established in accordance with this section or sewer assessment established in accordance with the provisions of section 16-50 of the Danbury Code of Ordinances have been paid on the premises to be connected to said sewer, 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 nine hundred twenty dollars (\$1,920.00) 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 six hundred fifty five dollars (\$655.00) per dwelling unit, but in no event shall said connection fee exceed three thousand two hundred sixty five dollars (\$3,265.00) per building.

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.	\$ 3,265.00
from 5,001 s.f. to 10,000 s.f.	\$ 13,045.00
from 10,001 s.f. to 25,000 s.f.	\$ 26,095.00
over 25,001 s.f. to 50,000 s.f.	\$ 39,140.00
over 50,000 s.f.	\$ 65,235.00 plus \$130.00 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 follow:

Building Size (Floor Area s.f.)	Connection Fee
up to 5,000 s.f.	\$ 3,265.00
from 5,001 s.f. to 10,000 s.f.	\$ 6,520.00
from 10,001 s.f. to 25,000 s.f.	\$ 13,045.00
over 25,001 s.f. to 75,000 s.f.	\$ 19,565.00
over 75,000 s.f.	\$ 26,095.00

(c) *Change of use.* Whether or not a prior connection fee or sewer assessment has been paid on the premises, 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, A connection fee associated with said change in use shall be due and payable and shall be calculated by subtracting the connection fee associated with the old use from the connection fee associated with the new use.

(d) *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.

(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).

COPY SHOWING DELETIONS AND NEW LANGUAGE

24-3

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

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 discharge 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 forty five dollars (\$245.00) to cover administrative costs associated therewith, except the permit fee for all properties located in the Downtown Revitalization Overlay Zone shall be one hundred five dollars (\$105.00). 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 CONNECTION FEE ESTABLISHED IN ACCORDANCE WITH THIS SECTION OR sewer assessment established in accordance with the provisions of section 16-50 of the Danbury Code of Ordinances ~~has~~HAVE 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 nine hundred twenty dollars (\$1,920.00) 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 six hundred fifty five dollars (\$655.00) per dwelling unit, but in no event shall said connection fee exceed three thousand two hundred sixty five dollars (\$3,265.00) per building.
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.	\$ 3,265.00
from 5,001 s.f. to 10,000 s.f.	\$ 13,045.00
from 10,001 s.f. to 25,000 s.f.	\$ 26,095.00
over 25,001 s.f. to 50,000 s.f.	\$ 39,140.00
over 50,000 s.f.	\$ 65,235.00 plus \$130.00 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 follow:

Building Size (Floor Area s.f.)	Connection Fee
up to 5,000 s.f.	\$ 3,265.00
from 5,001 s.f. to 10,000 s.f.	\$ 6,520.00
from 10,001 s.f. to 25,000 s.f.	\$ 13,045.00
over 25,001 s.f. to 75,000 s.f.	\$ 19,565.00
over 75,000 s.f.	\$ 26,095.00

(c) *Change of use.* ~~Whenever~~ WHETHER OR NOT A PRIOR CONNECTION FEE OR SEWER ASSESSMENT HAS BEEN PAID ON THE PREMISES, 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~~ A connection fee associated with said change in use shall be DUE AND PAYABLE AND SHALL BE calculated by subtracting the connection fee ~~that would be due hereunder for~~ ASSOCIATED WITH the old use from the connection fee ~~that would be due hereunder for~~ ASSOCIATED WITH the new use.

(ed) *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.

(e)(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).

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parentheses which indicate subsections.

Deleted language is indicated by strikeouts.

24-5



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT

CITY COUNCIL

_____ A.D. 2016

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 connection fee established in accordance with this section or water assessment established in accordance with section 21-56 et seq. Hereof have been paid on the premises to be connected to the Danbury public water system, 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 one thousand seven hundred and thirty dollars (\$1,730.00) 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 seventy five dollars (\$575.00) per dwelling unit, but in no event shall said connection fee exceed two thousand eight hundred eighty five dollars (\$2,885.00) per building.
- (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.	\$ 2,885.00
from 5,001s.f. to 10,000 s.f.	\$ 11,520.00
from 10,001 s.f. to 25,000 s.f.	\$ 23,040.00
from 25,001 s.f. to 50,000 s.f.	\$ 34,560.00
over 50,000 s.f.	\$ 57,600.00 plus \$110 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.	\$ 2,885.00
from 5,001s.f. to 10,000 s.f.	\$ 5,760.00
from 10,001 s.f. to 25,000 s.f.	\$ 11,520.00
from 25,001 s.f. to 75,000 s.f.	\$ 17,285.00
over 75,000 s.f.	\$ 23,040.00

- (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.

(b) *Change of use.* Whether or not a prior connection fee or water assessment has been paid on the premises, 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, A connection fee associated with said change in use shall be due and payable and shall be calculated by subtracting the connection fee associated WITH the old use from the connection fee associated with the new use.

(c) *Permit.* No permit shall be issued until the applicant has paid a nonrefundable permit fee of two hundred forty five dollars (\$245.00) to cover administrative costs associated therewith except the permit fee for all properties located in the Downtown Revitalization Overlay Zone shall be one hundred five dollars (\$105.00).

(d) *Exception.* The foregoing connection fees shall not apply to fire service connections.

(e) *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.

(f) *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).

COPY SHOWING DELETIONS AND NEW LANGUAGE

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 CONNECTION FEE ESTABLISHED IN ACCORDANCE WITH THIS SECTION OR ~~water assessment has been paid on the premises to be connected to the Danbury public water system pursuant to~~ ESTABLISHED IN ACCORDANCE WITH section 21-56 et seq. hereof HAVE BEEN PAID ON THE PREMISES TO BE CONNECTED TO THE DANBURY PUBLIC WATER SYSTEM, 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 one thousand seven hundred and thirty dollars (\$1,730.00) 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 seventy five dollars (\$575.00) per dwelling unit, but in no event shall said connection fee exceed two thousand eight hundred eighty five dollars (\$2,885.00) per building.
- (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.	\$ 2,885.00
from 5,001s.f. to 10,000 s.f.	\$ 11,520.00
from 10,001 s.f. to 25,000 s.f.	\$ 23,040.00
from 25,001 s.f. to 50,000 s.f.	\$ 34,560.00
over 50,000 s.f.	\$ 57,600.00 plus \$110 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.	\$ 2,885.00
from 5,001s.f. to 10,000 s.f.	\$ 5,760.00
from 10,001 s.f. to 25,000 s.f.	\$ 11,520.00
from 25,001 s.f. to 75,000 s.f.	\$ 17,285.00
over 75,000 s.f.	\$ 23,040.00

- (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.

(b) Change of use. ~~Whenever~~ WHETHER OR NOT A PRIOR CONNECTION FEE OR WATER ASSESSMENT HAS BEEN PAID ON THE PREMISES, 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~~ A connection fee associated with said change in use shall be DUE AND PAYABLE AND SHALL BE calculated by subtracting the connection fee ~~that would be due hereunder for~~ ASSOCIATED WITH the old use from the connection fee ~~that would be due hereunder for~~ ASSOCIATED WITH the new use.

(c) Permit. No permit shall be issued until the applicant has paid a nonrefundable permit fee of two hundred forty five dollars (\$245.00) to cover administrative costs associated therewith except the permit fee for all properties located in the Downtown Revitalization Overlay Zone shall be one hundred five dollars (\$105.00).

(d) Exception. The foregoing connection fees shall not apply to fire service connections.

(e) 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.

(f) 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).

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parentheses which indicate subsections.

Deleted language is indicated by strikeouts.