

ORDINANCE NO. 10-007

**AN ORDINANCE OF THE TOWN OF THOMPSON'S STATION, TENNESSEE, ESTABLISHING
USER RATES FOR THOSE PERSONS UTILIZING THE TOWN'S WASTEWATER
TREATMENT FACILITIES**

WHEREAS, the Town of Thompson's Station has implemented a wastewater treatment facility for treatment of sewage of waste water; and

WHEREAS, the Town's wastewater treatment facility must be self-sustaining, it is necessary to establish sewer user rates, the same being in conformity with State law and provisions of the grants and bonds to which the Town is committed; and

WHEREAS, the Board of Mayor and Aldermen have determined that it is in the best interest of the Town to separate the wastewater tap fees into separate components: system development, access/tap, and effluent disposal fees to more efficiently plan for the growth of the wastewater system.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the town of Thompson's Station as follows:

Section 1. All Prior Conflicting Ordinances Repealed. That upon the effective date of this ordinance, all prior ordinances and resolutions in conflict herewith be repealed.

Section 2. User rates. That from and after the date of adoption, the following become the user rates to be charged to customers of the Town's wastewater treatment facility, to wit:

Residential & Nonresidential Uses:	107.5% of water fees
Maximum Monthly Residential Fee:	\$55.00

Section 3. System Development, Access/Tap and Effluent Disposal Fee.

- (a) Estimated water usage is based on calculations derived from several professional water use estimation formulas and a usage calculation worksheet is included in this ordinance as exhibit A. An equivalent dwelling unit (EDU) is based on an estimated single-family dwelling water usage at three hundred fifty (350) gallons per day (GPD). Water usage calculations for the purpose of calculating fees shall deem any usage less than three hundred fifty (350) GPD as one (1) EDU and

any usage calculated to exceed 350 GPD (or multiplies thereof) shall be counted as an additional EDU. For example, a proposed use calculated at 700 or less GPD would be 2 EDUs, but a use calculated at 701 GPD would be 3 EDUs.

The components of system development fees, access/tap fees, and effluent disposal fees shall be known as Wastewater Impact Fees.

~~(b) From and after the date of adoption, the following shall become the system development fee, access and tap fee, and effluent disposal fees to be charged to developers and builders proposing to connect to the Town's wastewater treatment facility, to wit:~~

~~System Development Fee: _____ \$2,500.00 Per EDU
(To be paid in conjunction with Preliminary Plat submittal)
Access and Tap Fee: _____ \$1,100.00 Per EDU
(To be paid prior to recordation of Final Plat)
Effluent Disposal Fee _____ \$1,700.00 Per EDU~~

(b) This portion of the Ordinance shall take effect on July 1, 2020, unless otherwise provided herein, and the following shall become the Wastewater Impact Fee amount to be charged to developers, contractors, builders and/or property owners proposing to connect to the Town's Wastewater Treatment Facilities:

Wastewater Impact Fee: _____ \$9,225.00 per EDU

~~(c) Any developer, builder or property owner who has purchased sewer taps before the effective date of this Ordinance shall be credited with the System Development Fee and Access and Tap Fee. From and after the effective date of this Ordinance, developers, builders, and property owners seeking the issuance of building permits shall be responsible for payment of the Effluent Disposal Fee in lieu of the dedication and deeding of property for effluent disposal, unless otherwise specifically approved by the Board of Mayor and Aldermen.~~

(c) There shall be a review of the Wastewater Impact Fee in January of each odd year to start in 2023.

Section 4. Residential capacity letters. That from and after the date of adoption, the following become the fee to be charged for the initial capacity reservation letter for lots proposing to connect to the Town's wastewater treatment facility, to wit:

Residential Capacity Letter: \$10.00 Per Lot
Nonresidential Capacity Letter: \$20.00 Per Lot

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(To be paid prior to submittal of a Site Development Plan)

Section 5. Pump and Haul. Any developer, builder or property owner who proposes to provide sewage disposal service to their development, business or residence utilizing pump and haul must submit an application for approval to the Town. A non-refundable \$900.00 deposit will be required as part of application. Pump and haul service shall only be permitted when it is determined by the Town that : (1) sewer or septic service is not available to the property, (2) sewer service will be made available within a reasonable time, (3) that an adequate bond or surety has been provided by the property owner to the Town to ensure payment of the pump and haul service contract, and (4) that said service is in the best interest of the Town. Upon approval by the Town the property owner shall agree to the terms of the pump and haul contract. The pump and haul contracts shall be administered by the Town for treatment by the Town's wastewater system and shall be approved by the Board of Mayor and Aldermen.

Section 6. Violation and penalty. In addition to any other action the Town may take against a permit holder in violation of this chapter, such violation shall be punishable by civil penalty not to exceed \$50.00. Each day a violation occurs shall constitute a separate offense. Nothing herein shall prohibit the Town from seeking other remedies, including injunctive relief or claims for damages to its rights-of-way, to enforce the purposes of the ordinance.

Section 7. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 8. Effective date. This ordinance shall take effect upon its passage on final reading by the governing body and upon publication in a newspaper of general circulation, the public welfare requiring.

Duly approved and adopted by the Board of Mayor and Aldermen of the Town of Thompson's Station, Tennessee, on the 18th day of January, 2011

Corey Napier, Town Mayor

ATTEST:

Doug Goetsch, Town Recorder

Passed Frist Reading: November 16 2010

Passed Second Reading: January 18, 2011

Submitted to Public Hearing on the 18th day of January, 2011 at 7:00p.m., after being advertised in the Williamson AM Newspaper on the 27th day of December, 2010.

APPROVED AS TO FORM AND LEGALITY:

| ~~Kirk Vandivort~~, Town Attorney

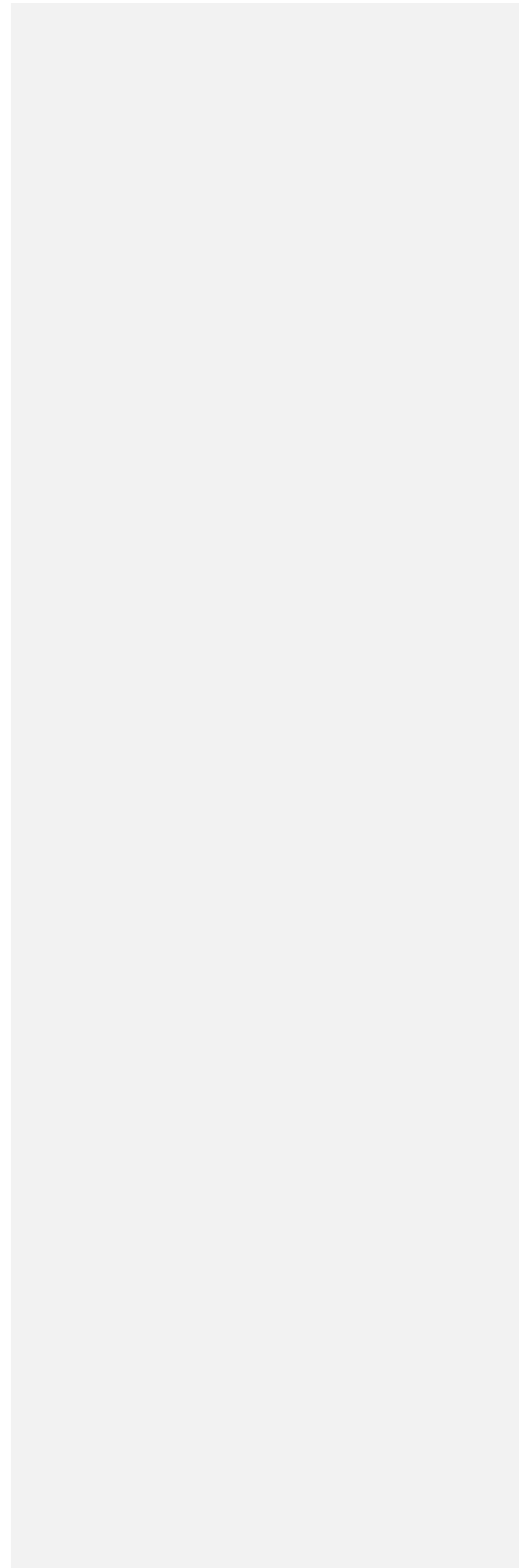


EXHIBIT A
(Water Usage Calculation Table)

The water usage table below is for non-residential and multifamily uses only. Residential uses shall constitute one (1) EDU for each separate living unit or quarters. Accessory living quarters both attached and detached also constitute one (1) EDU.

Churches		
Church	Per Seat	5 GPD
Church with Kitchen Facility	Per Seat	8 GPD
Church with Daycare Facilities	Per Person (Children & Adults)	20 GPD
Church with Multiple Buildings	Calculate Uses Separately	----
Commercial/ Industrial Facilities		
Airports, Bus & Rail Depots – No Food	Per 1, 000 Square Feet	150 GPD
Barber Shop	Per Chair	5 GPD
Beauty Salon	Per Chair	100 GPD
Bowling Alley	Per Lane	75 GPD
Child Day-care Facility (Commercial)	Per Person (Children & Adults)	20 GPD
Child Day -care (Home)	Per Bedroom	170 GPD
Temp. Const. Office/ Work Camp (no showers)	Per Person	40 GPD
Temp. Const. Office/ Work Camp (showers)	Per Person	80 GPD
Factory or Plant (no showers)	Per Employee	20 GPD
Factory or Plant (showers)	Per Employee	40 GPD
Grocery Store (no food service)	Per 1,000 Square Feet	80 GPD
Grocery Store (food services)	Per 1,000 Square Feet	100 GPD
Highway Rest Area/ Visitor Center	Per Square Foot	10 GPD
Landry (self service)	Per Machine	500 GPD
Marina (no bathing facilities)	Per Boat Slip	25 GPD
Marina (with bathing facilities)	Per Boat Slip	50 GPD
Office Buildings	Per Total Number of Employees	20 GPD
Individual Retail Store (not mall or shopping center)	Per Square Foot	5 GPD
Vehicle Service Station (no food/public restroom)	Per Employee	20 GPD

Shopping Center Mall	Per 1,000 Square Feet	150 GPD
Stadium, Auditorium, Theater (any type)	Per Seat	5 GPD
Veterinary Hospital	Per 1,000 Square Feet	200 GPD
Apartment Buildings		
For Each-one Bedroom	Per Apartment Unit	250 GPD
For Each -Two Bedroom	Per Apartment Unit	300 GPD
For Each- Three Bedroom	Per Apartment Unit	350 GPD
Bed & Breakfast Establishment	Per Bedroom (All)	175 GPD
Boarding or Rooming House (no meals)	Per Bedroom (All)	175 GPD
Boarding or Rooming House (meals)	Per Bedroom (All)	200 GPD
Hotels or Motels (with private bathrooms)	Per Room	150 GPD
Food Services/ Drinking Establishments		
Ordinary Restaurant (not 24 hr.)	Per Seat	40 GPD
Restaurant Operating 24 Hrs. Per Day (no interstate)	Per Seat	80 GPD
Restaurant Operating 24 Hrs. Per Day (interstate)	Per Seat	150 GPD
Drive-in or Take-out Restaurant	Per Hour Open for Business	70 GPD
Tavern, Bar, Lounge (with no food)	Per Seat	40 GPD
Tavern, Bar, Lounge (with no food)	Per Seat	60 GPD
Catering Business- Banquet Facilities	Per Person	30 GPD
Institutions		
Assembly Halls, Public Buildings	Per Seat	5 GPD
Home for Aged	Per Bed	125 GPD
Medical Hospital	Per Bed	300 GPD
Medical Hospital	Per Bed	180 GPD
Nursing Home	Per Bed	1850 GPD
Prison or Jail	Per Bed	125 GPD
Schools (with showers & cafeterias)	Per Person	16 GPD
Schools (without showers & cafeterias)	Per Person	12 GPD
Recreational & Establishments		
Camps (Daytime Use Only- Toilets no meals)	Per Person	15 GPD

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Camps (Daytime Use Only- Toilets & meals)	Per Person	25 GPD
Fairgrounds or Mass Gathering Facility	Per Person	3 GPD
Golf Course Clubhouse (on peak daily attendance)	Per Person	10 GPD
Park - Public Restroom	Per parking Space	5 GPD
Swimming Pool & Bathhouse (on peak attendance)	Per Person	10 GPD
Travel Trailer Park (water & sewer hookups)	Per Trailer Space	100 GPD
Travel Trailer Park (No water & sewer hookups)	Per Trailer Space	75 GPD