

ORDINANCE NO. 96-27

AN ORDINANCE ESTABLISHING A TERRITORIAL ASSESSMENT CHARGE OF \$750.00 PER WATER TAP FOR WATER SERVICE PROVIDED BY THE TOWN OF SPRING HILL, TENNESSEE WITHIN THE BOUNDARIES OF THE H. B. & T. S. UTILITY DISTRICT OF WILLIAMSON COUNTY, TENNESSEE

Whereas, the Town of Spring Hill, Tennessee desires to facilitate development that is occurring within and in close proximity to the Town's boundaries; and

Whereas, some of that development is occurring in, is planned for, or may occur in properties that lie within the boundaries of the H. B. & T. S. Utility District of Williamson County, Tennessee, which has asserted a priority right to provide water service within its boundaries under an Act of the United States Congress, 7 U.S.C. §1926(b), which provides certain rights of utility districts with loans originating as Farmers Home Administration loans; and

Whereas, it is thought that for orderly development to proceed, the Town of Spring Hill needs to plan to provide water service in part of the H. B. & T. S. Utility District territory; and

Whereas, the Town engaged in discussions with the H. B. & T. S. Utility District to arrive at a solution to the problem of H. B. & T. S.'s asserted priority right to provide water service in the area of the Town's present boundaries and expected expansion by annexation in southern Williamson County; and

Whereas, the Town reached an Agreement dated June 11, 1996 with H. B. & T. S. Utility District that allows the Town to provide water service in a designated area of H. B. & T. S.'s territory, in accordance with T.C.A. §12-9-108, which permits a public agency to perform a governmental service for another public agency by contract; and

Whereas, the Agreement with H. B. & T. S. Utility District provides for the Town to provide water service in the designated area and for the assessment of \$750.00 for each water tap for each lot in all new developments in the designated area (except five developments already underway), to be collected by the Town from developers and remitted to H. B. & T. S. Utility District; and

Whereas, the \$750.00 territorial assessment represents an actual cost of the Town providing water service and is different from and in addition to the \$1,000.00 tap or connection fee (the fee is higher for larger meter sizes) charged by the Town for each water tap in accordance with Municipal Code §18-108.

BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF SPRING HILL, TENNESSEE:

Section 1. There is hereby imposed a territorial assessment charge of seven hundred fifty dollars (\$750.00), for each connection to the water system maintained by the Town of Spring Hill when the

property to be served is inside the boundaries of the H. B. & T. S. Utility District of Williamson County, Tennessee as those boundaries are defined by the Order of Creation of the Utility District by the County Judge of Williamson County dated May 16, 1966, as amended by Order of the County Judge of Williamson County dated April 26, 1976. The territorial assessment charge is in addition to the water connection charge set forth in Spring Hill Municipal Code §18-801 or otherwise by ordinance duly adopted by the Board of Mayor and Aldermen of the Town of Spring Hill, Tennessee.

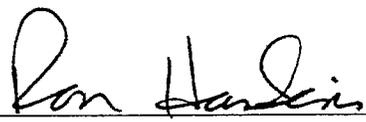
Section 2. The \$750.00 territorial assessment charge is due and payable to the Town at the time the water connection or tap fee is payable to the Town. The Town will remit the \$750.00 territorial assessment payment to the H. B. & T. S. Utility District.

Section 3. If a lot is located partially, but not fully, within the H. B. & T. S. Utility District's boundaries, the territorial assessment charge shall be due and payable if more than 50% of the lot is within the H. B. & T. S. Utility District's boundaries.

Section 4. The following developments, as approved by the Spring Hill Regional Planning Commission on or before February 28, 1996, are considered developments in process such that they should not be, and are not, subject to the territorial assessment charge imposed by this Ordinance: Fields of Mapelawn, Crowne Pointe, Church Hill Downs, Spring Hill Estates, and Cameron Farms west of Buckner Lane.

Section 5. The territorial assessment charge imposed by this Ordinance is adopted as a part of and shall be incorporated into the Spring Hill Municipal Code.

Passed and adopted by the Board of Mayor and Aldermen of the Town of Spring Hill, Tennessee, on the 15th day of July, 1996.



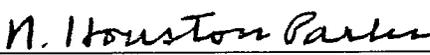
RON HANKINS, MAYOR

ATTEST:



JUNE QUIRK, RECORDER

LEGAL FORM APPROVED



N. HOUSTON PARKS, ATTORNEY