

ORDINANCE 21-24

AN ORDINANCE TO AMEND TITLE 18, ARTICLE 145 OF THE SPRING HILL MUNICIPAL CODE. CREDITS FOR INSTALLING OVERSIZED LINES

WHEREAS, the Board of Mayor and Aldermen of the City of Spring Hill, pursuant to its Charter and general law of the State of Tennessee, enacted and adopted Title 18, Article 145 of the Spring Hill Municipal Code; and

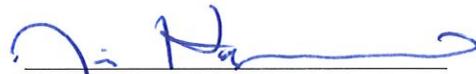
WHEREAS, the Board of Mayor and Aldermen of the City of Spring Hill does desire to amend Title 18, Article 145, and

WHEREAS, the Board of Mayor and Aldermen find that amending Title 18, Article 145 is in the best interest of the health, safety and welfare of Spring Hill and her citizens.

BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF SPRING HILL, TENNESSEE that Title 18, Article 145 be amended as more fully described in Exhibit A.

Enclosures: Exhibit A § 18-145 CREDITS FOR INSTALLING OVERSIZED LINES.

Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 18th day of October, 2021.



Jim Hagaman, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Patrick Carter, City Attorney

Passed on First Reading: October 4, 2021

Passed on Second Reading: October 18, 2021

Exhibit A

§ 18-145 CREDITS FOR INSTALLING OVERSIZED LINES.

(A) A developer who installs or causes to be installed water or sewer infrastructure and is required by the city to install an oversized line shall be entitled to receive a credit against the payment of availability fees in accordance with the provisions of this section.

(1) For purposes of this section, an **OVERSIZED LINE** means any line, tank, pump or any other element, appurtenance or facility of the city's water or sewer system that:

(a) Is larger than the minimum size line, tank, pump, element, appurtenance or facility that the city normally requires to be installed; and

(b) Is larger than that necessary to serve the needs of the development installing or causing to be installed the line, tank, pump, element, appurtenance or facility.

(2) The availability fees against which a credit may be taken are those fees that are required to be paid for the development of the property to which or in which the lines are installed. An installation of an oversized water line entitles the developer to credits only against water availability fees, and an installation of an oversized sewer line entitles the developer to credits only against sewer availability fees.

(B) (1) The maximum amount of credit to which a developer shall be entitled for the installation of oversized lines shall be an amount determined by the city that reasonably approximates the difference between the actual cost of installing the oversized line and the cost that the developer would have incurred had he or she been allowed to install a line that was not oversized.

(2) In making this determination, the city may, among other alternatives, establish a schedule of customary and reasonable costs for installing lines of different sizes and calculate the maximum creditable amount by multiplying the length of the line installed times the per foot cost differential for the oversized line.

(C) Credits may be taken under this section at the time availability fees are paid. In applying credits, a determination shall first be made of the amount of availability fees that would be required in the absence of any credits, and then the developer may use credits for up to 50% of payment otherwise required (subject to the maximum creditable amount determined under subsection (B) above).

(2011 Code, § 18-145)

Exhibit A

§ 18-145 CREDITS FOR INSTALLING OVERSIZED LINES.

(A) A developer who installs or causes to be installed ~~extends a water or sewer line~~ water or sewer infrastructure and is required by the city to install an oversized line shall be entitled to receive a credit against the payment of availability fees in accordance with the provisions of this section.

(1) For purposes of this section, an **OVERSIZED LINE** means any line, tank, pump or any other element, appurtenance or facility of the city's water or sewer system that:

(a) Is larger than the minimum size line, tank, pump, element, appurtenance or facility that the city normally ~~allows to be constructed~~ requires to be installed; and

(b) Is larger than that necessary to serve the needs of the development installing or causing to be installed ~~developer constructing~~ the line, tank, pump, element, appurtenance or facility.

(2) The availability fees against which a credit may be taken are those fees that are required to be paid for the development of the property to which or in which the lines are ~~extended~~ installed. An ~~extension installation~~ of an oversized water line entitles the developer to credits only against water availability fees, and an ~~extension installation~~ of an oversized sewer line entitles the developer to credits only against sewer availability fees.

(B) (1) The maximum amount of credit to which a developer shall be entitled for the ~~extension installation~~ of oversized lines shall be an amount determined by the city that reasonably approximates the difference between the actual cost of ~~extending installing~~ the oversized line and the cost that the developer would have incurred had he or she been allowed to ~~extend install~~ a line that was not oversized.

(2) In making this determination, the city may, among other alternatives, establish a schedule of customary and reasonable costs for ~~extending installing~~ lines of different sizes and calculate the maximum creditable amount by multiplying the length of the line ~~extended installed~~ times the per foot cost differential for the oversized line.

(C) Credits may be taken under this section at the time availability fees are paid. In applying credits, a determination shall first be made of the amount of availability fees that would be required in the absence of any credits, and then the developer may use credits for up to 50% of payment otherwise required (subject to the maximum creditable amount determined under subsection (B) above).

(2011 Code, § 18-145)