

Brunswick Sewer District

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Entrance Charge Program.

1.

I. Purpose.

The entrance charge program was established to create a fund for expansion of existing sanitary sewer facilities made necessary by additional flows resulting from growth. The fund is intended to protect the District's users, who have already paid once for a system sufficient to serve their needs, from additional costs for additional facilities to serve growth.

II. Authority.

The entrance charge program is established pursuant to authority granted in the District's Charter, Private & Special Law 1947, Chapter 77, as amended. The program was developed with assistance of counsel in full compliance with legal and procedural requirements.

III. Process.

The entrance charge program has been developed by a committee, appointed by the District's Board of Trustees, using the following series of steps:

- o a facilities study to provide or determine
 - i. an analysis of current flows
 - ii. the amount of growth likely
 - iii. resultant additional flows due to growth
 - iv. new facilities necessary to serve growth
 - v. the amount of growth served by these new facilities
- o an estimate of cost of new facilities necessary to serve growth
- o calculation of the cost of these new facilities per unit of growth served
- o the administrative framework in which the entrance charge program is administered.

IV. Basis of Calculation.

The entrance charge program is based on the volume of flow generated by the average dwelling unit, determined historically to be 175 gallons per day. The program uses the flow unit as the basic unit in determining the amount of the charge. As a unit of measurement, the flow unit allows comparison of residential and non-residential uses so that all categories of projects constructed can be consistently and uniformly assessed their fair portion of the cost of sanitary sewer facilities to serve growth.

V. Calculation.

Development is viewed as falling into one of two categories: residential or non-residential development. For both residential and non-residential development, the amount of the entrance charge will be based on the number of flow units proposed by a developer.

Based on the study analysis of facilities necessary to serve growth and the estimate of cost to construct these facilities, the entrance charge rate has been calculated to be \$ 1,178 per flow unit.

A. Residential development.

For residential development, each living unit will be viewed as a flow unit:

- o a single-family residence will equate to one flow unit;
- o for multiple-family residential development, **each** living unit will equate to one flow unit.

Amount of the entrance charge will then be calculated by multiplying {the number of flow units to be developed by the proposed project} by {\$ 1,178 per flow unit}.

B. Non-residential development.

Application for permit to connect to District facilities requires that the applicant present engineering design data satisfactory to the District projecting the amount of wastewater flow to be generated by the proposed new development.

The Collection & Pumping System Facilities Study (February 1992) identified the average daily flow per flow unit as 175 gallons per flow unit per day.

Impact of the proposed development is calculated by dividing {projected flow} by {175 gallons per flow unit per day}; this ratio yields the number of flow units to be provided by the proposed project.

Amount of the entrance charge will then be calculated by multiplying {the number of flow units to be developed by the proposed project} by {\$ 1,178 per flow unit}.

C. Eligibility for assessment.

Any unit proposed for development that has not made application prior to 13 October 1993 for permit to connect to District facilities is subject to assessment of an entrance charge.

This finding has been determined to include development that received planning approval(s) prior to institution of the entrance charge program on 13 October 1993, but which have not yet moved beyond that stage.

The Town plumbing permit will be used to trigger District review for assessment of an entrance charge.

Any development requiring any Town of Brunswick plumbing permit will be reviewed to determine applicability of the entrance charge program to that development.

D. Vacancy.

For development or use that has in the past been connected to District facilities, but that has since become vacant for a period of time:

- o if there is no change in use or flow from an existing property previously connected to District facilities, then the entrance charge will not apply, regardless of the length of time the property has been out of use;
- o any significant change in either the nature or quantity of use by a property will subject the property to the entrance charge program, based on the effect of the change in flow units.

E. Change of use.

For development that has in the past been connected to District facilities, and which is now proposed for a change in occupancy or use, determination of applicability of the entrance charge is made based on a comparison of current use of the property to the proposed change in use:

- o if proposed use is less than or equal to current use, then no entrance charge is assessed;
- o if proposed use is greater than current use, an entrance charge is assessed.

F. *Fractional flows.*

For residential development, the minimum impact of proposed new development is one-half of one (0.5) flow unit

For non-residential development:

- o where it involves new construction for a new use (i.e. not previously existing), the minimum impact of any proposed new development is one flow unit;
- o where it involves an existing building proposed for an increase or change in use:
 - when proposed additional flow is less than 90 gallons per day, the minimum impact of the proposed development is 0.5 flow unit;
 - when proposed additional flow is greater than 90 gallons per day, the minimum impact of the proposed development is calculated as the ratio of {projected average daily increase in flow, when compared with current use averaged over the past three years,} to {175 gallons per day}.

The entrance charge will be calculated and expressed in hundredths, i.e. to two decimal places, with no rounding.

G. *Non - regulated flows.*

Users of District facilities fall into one of three categories:

- o **individual** residential, commercial, and industrial users connected to the system, all similarly administered;
- o **other municipalities contracting** for treatment and disposal;
- o **other users not fitting** either of these categories, broadly characterized as exempt from local permitting requirements.

The fundamental consideration in determining applicability of the program is the **net** amount of flow generated for treatment and disposal.

A distinction will be made as to whether a user is or is not routinely regulated by the Town.

Development routinely regulated by the Town will be administered by the District as either residential or non-residential development, described earlier in this program.

Development not routinely regulated by the Town, or for which it is otherwise not realistic to attempt to monitor or control the precise amount and timing of development, will be administered by the District as a separate category, designated non-regulated:

- o with an established benchmark calculated as the most recent three-year average daily flow,
- o below which no entrance charge is assessed, and
- o above which an entrance charge is assessed;
- o annually the average daily flow will be compared with the benchmark,
- o and the appropriate entrance charge, if any, will be assessed;
- o assessment of an entrance charge for flow in excess of the benchmark will serve to increase the benchmark to the new flow amount for which the entrance charge is assessed, with which future flows will be compared in determining future assessment of an entrance charge.

Development administered under provisions of this section of the program will provide the District with a means to accurately and reliably monitor and record the amount of flow.

Single wastewater meter flow measurement will be provided by the developer, as a basis for determining if growth has taken place, and if an entrance charge is to be assessed.

H. Private systems connecting.

For development served by private systems connecting directly or indirectly to District facilities:

- o an entrance charge will be assessed in accordance with provisions of this program;
- o where there is the potential for later growth over which the District has no control, this development may be administered under the non-regulated category of this program;
- o development will be required to install and maintain a wastewater meter.

I. Post - occupancy flow monitoring.

On occasion the District is confronted with a development proposal for which it is not possible to quantitatively determine the impact of the proposed development prior to its construction and occupancy.

In instances where the District becomes satisfied that determination of the effect of a proposed development on District facilities is not reasonably possible, the District at its sole discretion may:

- o enter an agreement with the developer which issues a permit for construction of the development,
- o stipulating metering requirements to be met by the developer at startup,
- o allowing occupancy of the development,
- o stipulating a period of time for which the amount of flow will be monitored,
- o and deferring assessment of the entrance charge to a later time when the amount of the charge can be determined from the measured flows.

A decision as to whether a developer's pre-construction projections of flow are appropriate and reliable for determination of an entrance charge, and the subsequent decision that the project is to be taken out of the pre-construction projections of flow approach and put into the post-occupancy flow monitoring approach rests solely with the District.

Costs of complying with terms of the agreement are the responsibility of the developer.

VI. Adoption.

The entrance charge program was adopted by the District's Board of Trustees in meeting on 13 October 1993, after a period of over three years developing specifics of the program.

VII. Effective Date.

In voting to adopt the entrance charge program, it was directed that the program would take effect immediately upon adoption, i.e. on 13 October 1993.

VIII. Payment.

Calculation of the entrance charge amount is made at (or shortly following) the time of application for permit to connect to the sanitary sewer system, when projected flows are more precisely known and the amount of the entrance charge can be calculated.

Payment of the entrance charge amount is deferred until time of issue of sanitary sewer connection permit. The entrance charge is due and payable prior to commencing construction, and is a condition of permit issue.

Wherever possible, the District is amenable to assessing an entrance charge payment of which is phased to parallel phased construction of a proposed project.

IX. Use of Proceeds.

Proceeds of the entrance charge program are dedicated exclusively to use on existing District facilities for improvements necessary to serve growth. Proceeds shall not be used for either routine operations and maintenance expenses, routine capital replacement, or extension of sewers into currently unsewered areas.

X. Related.

A. *Inspection.* The applicant should be aware that inspection of construction in progress by District personnel is absolutely essential. Failure on the part of the developer, the project owner, or the project contractor to notify the District so that inspection as the work proceeds can be scheduled will result in the work having to be re-excavated for inspection at no cost to the District.

The applicant should be aware that the permit entitles the applicant to a "reasonable" period of inspection of the work by the District. Reasonable period for purposes of the District's permitting and inspection program is considered to be up to four (4) hours. Inspection in excess of this amount of time, which may be required due to size and scope of the proposed new project, will occur at the expense of the applicant, in addition to the amount due for the calculated entrance charge.

B. *Extension.* The applicant should be aware that the entrance charge program does not cover costs to extend sewers into currently unsewered areas, and that the applicant is responsible for costs of any such extensions necessary to serve the project.

C. *Sanitary sewer service piping.* The applicant should be aware that the entrance charge program does not cover costs to provide sanitary sewer service piping from mainline sewers into property proposed for development, and that the applicant is responsible for costs of any such service piping necessary to serve the project.