



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date: Nov. 13, 2023  
Department: Utilities  
Agenda Section: Consent  
Public hearing: No  
Date of public hearing: N/A

#### PRESENTER/INFORMATION CONTACT

Environmental Engineering Supervisor Bryant Green, PE

#### ITEM TO BE CONSIDERED

**Subject:** Amendment to Town Code Section 14-71: Payment of System Development and Capital Facilities Fees

**Attachments:**

Ordinance amending town code Section 14-71

**Summary:**

The North Carolina Legislature passed the 2023 Regulatory Relief Act (House Bill 600) during the 2023 legislative session. This act provided additional guidance and requirements on how wastewater flows for new dwelling units may or shall be calculated. This guidance created some ambiguity in how system development fees would be calculated per North Carolina General Statute 162A-205(9), which is the methodology by which fees are calculated. The proposed ordinance amendment addresses this ambiguity by adopting a system engineering planning standard that is consistent with the town's already adopted system development fees and how the town will continue to plan for new water and sewer demands.

**Financial impacts:**

No financial impacts are anticipated with the proposed change.

**Staff recommendation and comments:**

Town staff recommends the proposed changes. The state legislature required through House Bill 600 that 75 gallons per day per bedroom of sewer flow be used for new dwelling units discharging into wastewater systems that are similar to the town's. This bill did not modify the existing general statute for system development fees referenced above, leaving intact language that states the local governmental unit must use the gallons per day per service it applies to its water or sewer system planning.

The proposed ordinance change clearly defines 120 gallons per day per bedroom as the standard the town uses for its water or sewer system planning for residential type units. This is the same flow rate used to calculate the recently adopted system development fees (based upon an average three-bedroom home, or 360 gallons per day), so additional revisions to the adopted system development fees will not be necessary at this time. The defined flow rate is consistent with the town's past hydraulic modeling and capacity tracking calculations and is therefore the most relevant standard to adopt.

**Action requested:**

Adopt the revisions to the code as presented.