



**Public Water Utility and Sanitary Sewer Utility Extensions to Existing Developed
Property Policy
City of Dublin, Ohio, USA
As adopted by Dublin City Council on December 7, 2015**

I. Background

Dublin City Council desires to protect the public health, safety, and welfare of the Dublin community. The majority of Dublin's developed properties are serviced by public water and sanitary sewer services; yet, there are developed areas within the City of Dublin that are not serviced by public water and sanitary sewer services. Furthermore, it is the intent of City Council to provide residential properties with reasonable access to safe drinking water and minimize the potential threat to public health and welfare that may be associated with private household sewage treatment systems (HSTS). Public health concerns may arise with regard to failing septic tanks, failing aeration systems, possible water well contamination and/or poorly functioning private on-site water and sanitary sewer systems.

II. Purpose

The purpose of this policy (hereinafter referred to as "Policy") is to establish an equitable, documented, uniform, and systematic mechanism by which the City of Dublin can plan and extend its public water and/or sanitary sewer utility services to those developed areas not currently served by the same that are within the City of Dublin corporation limits. City Council has determined that this Policy serves a public purpose and will benefit all citizens of the City of Dublin.

This policy replaces all previous policies related to the extension of water or sanitary sewer services to existing residential neighborhood and/or individual private parcels or properties.

III. Definitions

Affected Property shall mean each individual lot, parcel of record, or dwelling unit within the Extension Area that would benefit from public utility service.

Affected Property Owners shall mean the title holders and record owners of Affected Property within the Extension Area that is recorded by the County Auditor of the appropriate county.

Extension Area shall mean an area of parcels, subdivision, or development defined by the City of Dublin and located wholly within the City of Dublin that does not have public water and/or public sanitary sewer services. An Extension Area shall include all lots bordering a public street as shown on the General Location Map of the Water/Sanitary Sewer Extension Areas as identified in Exhibit “A”.

Petition Representative is an owner of an Affected Property for which a Utility Extension Application and Utility Extension Petition is being submitted and who is responsible for the circulation and submission of the Utility Extension Application and Utility Extension Petition.

Private Connection Costs means the costs to Affected Property Owners for pipes, labor, connection fees (current tap fees and capacity charges), and other appurtenances that may be necessary to properly connect a dwelling unit to the public water and/or sanitary sewer system.

Project shall mean the design, construction, installation, and extension of the public water and/or sanitary sewer facilities and all action necessary to administer the same.

Utility Extension Application shall mean a written request to extend public water and/or sanitary sewer services to an Extension Area, which shall in every case include a Utility Extension Petition signed by no less than eighty-five percent (85%) of the Affected Property Owners.

Utility Extension Petition shall be submitted by the Petition Representative and shall contain the printed name, address, signature and date of at least eighty-five (85%) of the Affected Property Owners who desire to have public water and/or sanitary sewer utilities extended to their Affected Property by the City of Dublin, Ohio. The Utility Extension Petition will provide a list of terms with which the Petitioners acknowledge and agree. If an Affected Property Owner controls more than one Affected Property in the Extension Area, s/he must sign for each Affected Property separately on the Utility Extension Petition.

IV. Extension of Only Water or Sanitary Sewer

The extension of public water or sanitary sewer utilities, but not both, is applicable only when the City Manager determines that the Affected Property is served by one utility and not the other. Any Affected Property Owner who does not have both public water and sewer shall not be eligible to receive just one (1) utility service.

V. Initiation Processes

a. City’s Five-Year Capital Improvements Program (CIP) Planned Utility Extensions

Dublin City Council may decide to extend public utility mains to provide public water and/or sanitary sewer services to an Extension Area. City Council's decision to extend utility services would typically be based on protecting the public health, safety, and welfare of the community as well as the opportunity to leverage a planned CIP project.

b. Petition for Extension by Affected Property Owners

Affected Property Owners may request the City Council to extend public utilities to and within an Extension Area. The request shall be initiated by the Petition Representative submitting a signed Utility Extension Application to the City Manager.

Affected Property Owners may submit a Utility Extension Application to the City Manager no later than March 1 of each year for consideration and possible inclusion in the City's next update of the five-year CIP, which is generally adopted in September of each year. The completed Utility Extension Application must include:

- a cover letter outlining the request for the public utility extension;
- a completed Utility Extension Petition supporting the request, signed by no less than eighty-five percent (85%) of the Affected Property Owners;
- a properly executed Affidavit by the Petition Representative indicating the Affected Property Owners' commitments to connect to the utilities as well as donate, at no expense to the City, all necessary easements for the placement of the public water and/or sanitary sewer utility services.
- Identification of the Extension Area desiring extension of public utility services with a list of all Affected Property addresses; and
- an indication whether an extension of public water or sanitary sewer services is requested, or both.

VI. Utility Extension Prioritization Factors

The City Manager shall take the following factors into consideration when prioritizing public utility extensions:

- a. **Public Health and Safety Risk Potential** – Although interest in utility extensions expressed by Affected Property Owners is part of the decision-making process, a greater goal of this Policy is the protection of the public health and welfare of the community.
- i. Whether any environmental and/or public health issues may arise by not extending public water and/or sanitary sewer services;
 - ii. Whether there is any potential for depletion or contamination of groundwater at or near an Affected Property;
 - iii. Whether any of the Affected Properties in the Extension Area contain any failing HSTS or non-functioning and/or contaminated domestic water wells as the result of changes to the aquifer from which the well draws water;

- iv. Whether there are any other factors or issues that may negatively impact the public health, safety, and welfare of Dublin residents or the community at large.
- b. **Future Development Potential** – In areas within Dublin where future development can occur and, as a result, will require the extension of public water and/or sanitary sewer utility lines, the City would typically expect the future development to extend the lines.
- c. **Potential to Leverage a Planned Transportation or Utility CIP Project** – In Extension Areas where a planned transportation or utility CIP project is programmed and, as a result, efficiencies could be realized to extend the public water and/or sanitary sewer lines as a part of that project, the City should coordinate the timing of such utility extension with those CIP projects.
- d. **Cost Effectiveness** – Whether there are other remedies to repair or otherwise extend the life of the Affected Property Owner's on-site HSTS and/or private domestic water source system, or to replace said system, as a more cost effective means than extending public utilities.
- e. **Cost Estimate and Available Resources** – The City will develop a preliminary design in order to estimate the project costs and any significant issues associated with potential utility extensions.
- f. Whether there are any other factors, issues, or considerations that may negatively impact the environment, public health, or public utility systems; and

VII. Annual Monitoring and Reporting Requirements

The City Manager will submit a Public Water Utility and Sanitary Sewer Utility Extensions to Existing Developed Property Policy Report to City Council as a part of the annual review of the City's five-year CIP and will include:

- Number and quantity of known private HSTS in the City;
- number and quantity of known private water systems in the City;
- updated list of properties that have public sanitary sewer and water services available but are not connected;
- updated map of Extension Areas;
- updated preliminary project cost estimate for the design and construction of public water and/or sanitary sewer utility service extensions;
- recommendation reports related to any Utility Extension Applications received prior to March 1 of that year;
- recommended Extension Areas to program for the next five-year CIP update; and

- copies of communications providing notices to Affected Property Owners located within Extension Areas proposed to receive utility extensions during the upcoming CIP timeframe.

In addition, condition assessments of private HSTS will be performed periodically and a report will be provided to Council.

VIII. Advanced Notification to Affected Property Owners of Programmed Utility Extension Projects

In the event City Council programs a utility extension project in the five-year CIP, staff shall send correspondence to the Affected Property Owners in the Extension Area notifying them of the City's intent to proceed with the utility extensions and informing them of the process for connection to the utility systems.

IX. Implementation of Programmed Utility Extension Projects

- a. **City Design of Public Utility Extensions** - The City will fund and prepare plans to extend public water and sanitary sewer utility services into the Extension Area. The timing and funding will be determined by City Council.
- b. **Affected Property Owners' Connection to the Public Utility Lines** – Affected Property Owners shall be responsible for all Private Connection Costs including payment of tap fees and capacity charges to the City of Dublin and City of Columbus. Affected Property Owners shall also be responsible for all expenses necessary for the installation of all private service lines from the public utility main lines to their structure and any modifications to existing interior plumbing necessary to connect to the public utility lines.
 - i. **Petitioning Property Owners**
 1. Property owners petitioning for utility extensions shall pay their required tap fees and capacity charges in full, prior to the City advertising the construction contract for bids for the utility extension.
 2. The City shall withdraw funding for a utility extension in cases where petitioning Affected Property Owners fail to pay the required tap fees and capacity charges prior to the City advertising the construction contract for bids.
 - ii. As an incentive to connect, Affected Property Owners will be eligible for a waiver of fifty percent (50%) of the City of Dublin's current tap fees and capacity charges so long as connection is made within a two year timeframe of receipt of notification that the public utility services are available. The City of Columbus' connection charges will not be eligible for this waiver.

- c. **City Construction of Public Utility Extensions** - The City will fund and construct utility extensions into the Extension Area. The timing and funding of the Project will be as determined by City Council.
 - i. **Alignment and Location of Proposed Utility Extensions** - The City reserves the right to choose the alignment and location of the requested utility extensions. The City shall not be obligated to replace landscaping, irrigation systems, or any other privately owned obstructions within the existing right-of-way or utility easement at the time of construction, nor will the City be obligated to compensate property owners for the removal of such obstructions.
 - ii. Once the construction of a Project is complete, the City will notify the Affected Property Owners in writing that the Project is complete and the public utility services are available and informing them of the process for connection to the utility systems.

X. Other

At any time, City Council reserves the right, without setting precedence, to extend public utility services for the public health, safety and welfare of residents or the community at large by the means it deems necessary.

Nothing in this Policy shall be deemed to abridge the authority and powers granted unto the City of Dublin and its City Council by law.

Exhibits Listing

A – General Location Map of the Public Water/Sanitary Sewer Extension Areas

