

(Water System) Sewer Extension Policy

Owner	Cobb County Board of Commissioners (BOC)
Reviewer(s)	CCWS Engineering and Records Division, CCWS Director, County Attorney, County Manager
Approver(s)	CCWS Director and Board of Commissioners (BOC)
Storage Location	iCobb, CCWS Website
Adoption	Approved by Cobb County Board of Commissioners (BOC) on 5/23/1995
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1. PURPOSE

The Cobb County Water System (CCWS) Sewer Extension Policy provides direction for extending sanitary sewer service to those areas of the County to which sewer service is not currently provided. The objectives of this policy are to:

1. Establish conditions under which the CCWS will provide for the construction of sewer extensions;
2. Address funding issues related to the construction of sewer extensions; and,
3. Define a mechanism for the provision of sewer service to existing developed areas which have inadequate wastewater handling facilities.

2. GOVERNING LAWS, REGULATIONS & STANDARDS

Guidance	Section
Official Code of Cobb County	122-130

3. DEFINITIONS

Board of Commissioners (BOC)--The duly elected officials of the Cobb County Board of Commissioners.

Capital Improvements Plan (CIP)--a list of planned construction projects for CCWS for the next five-year period (or beyond if anticipated).

Cobb County Water System (CCWS)--The administrative department within the Cobb County government that is responsible for the Cobb County water and wastewater systems.

Developer--An individual or corporation who constructs the infrastructure (including, but not limited to roads, water lines, sewer, and sidewalks) necessary for construction of residential, commercial, or industrial units.

Development--Any neighborhood with two or more homes (attached or detached).

Director--The person designated by the County and Director of the Cobb County Water System.

Dry Sewers--Sewers not connected to an existing CCWS sewer that are constructed to serve a subdivision when a CCWS sewer is extended to the subdivision.

Health Department--The Cobb County Board of Health.

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Planned Development Agreement (PDA)--An agreement between Cobb County (the BOC) and a developer that contains terms of development of a subdivision or other planned development specific to that development.

Planned Sewers--Sewers that are generally 10 inches or greater in diameter and are expected to be constructed by CCWS for the purpose of providing sewer service to areas of Cobb County not previously served by CCWS.

Septic Tank--A subsurface impervious tank designed to temporarily retain sewage or similar waterborne wastes together with a sewer line constructed to connect the tank with the plumbing of the structure(s) served, and a subsurface system of trenches, piping and other materials constructed to drain the clarified discharge from the tank and distribute it underground to be absorbed or filtered.

Septic Tank Neighborhood--A neighborhood within the CCWS service area in which onsite wastewater disposal is accomplished through the use of septic tanks.

Service Area--The areas within Cobb County where publicly-owned wastewater disposal is provided by CCWS.

Sewer Advisory Committee--A committee appointed by the BOC to administrate the sewer extension policy.

Sewer Available--A circumstance in which a development or other structure(s) can be connected to an active CCWS sewer by gravity flow, observing applicable laws and policies, through an existing or new sewer.

Sewer Extension--A sewer constructed to provide connection from an existing CCWS sewer to serve an area not previously served by CCWS sewers.

Sewer Extension Assessment--A one-time fee for septic tank neighborhoods assessed to new users of the CCWS sewage system to provide a portion of the funds necessary to extend sewer service to the neighborhood.

Sewer Master Plan--The most recent version of a report that identifies the anticipated CCWS network of publicly-owned major sewers for the planning period.

Special Sewer Availability Area (SSAA)--A specific geographic area defined by the BOC where sewer service is insufficient or has not been previously provided, but is needed. An assessment for each property is levied to obtain sufficient funds for the construction of planned sewers and/or sewer extensions to and inside the area.

Subdivision--A tract or parcel of land which has been divided into two or more lots, building sites, mobile home sites, or other divisions, resulting in single lots for the purpose, whether immediate or future, of sale or legacy.

System Development Fee (SDF)--A fee assessed to users of the CCWS to provide funds necessary to renew, extend and/or improve the wastewater management system.

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4. POLICY

A. For New Developments

1. Construction Priorities

The CCWS Capital Improvements Plan (CIP) contains identified priorities for construction of planned sanitary sewers. The construction schedule contained in the CIP is based on the current version of the CCWS Sewer Master Plan.

All CCWS planned sanitary sewers will be constructed in the sequence and according to the schedule contained in the current CIP. Modifications to the sequence and/or schedule will be with approval of the CCWS Director or the BOC in the case of a PDA or creation of an SSAA.

2. Planned Sewers

The CCWS will identify planned sanitary sewers. These planned sewers will be based on the current version of the CCWS Sewer Master Plan, and are intended to provide sewer service to previously unsewered areas, to upgrade service to previously sewered areas, or to allow gravity flow of wastewater from an area where a wastewater pump station was previously required.

Planned sewers are typically those sewers greater than 8-inches in diameter that are intended to serve more than one development. CCWS reserves the right to designate 8-inch sewers as planned sewers where the area to be served does not warrant a larger size.

Planned sewers will be constructed by CCWS and will allow service to an area by gravity flow of wastewater.

3. Sewer Extensions

Upon request, the CCWS Engineering and Records Division will notify developers and other interested parties whether or not connection to the existing CCWS sewer system is required for their proposed development. To determine the need to connect to the CCWS sewer system and at what point to connect, all new developments, regardless of size and type, must request a determination from the CCWS.

If sewer is available to the subject property (i.e., the property can be connected to active CCWS sewer by gravity flow), connection to the existing sewer system is required to be made by the developer of the property, except as follows:

- a) Sewers are not required in single-family, detached residential developments where the minimum lot size is 80,000 square feet or more and the Health Department has determined that the minimum established criteria for private, on-site disposal systems (such as septic tanks) are met.
- b) In circumstances where planned sewers in an area have not been completed, use of on-site disposal systems may be permitted until the planned sewer is constructed. In this case, the developer will be required to construct dry sewers for all portions of the development which are not immediately connected to active sewer.

If the planned sanitary sewer for a development has not been completed to the point closest to the development, the developer may be required to construct the required portion of the planned sewer ahead of the CCWS schedule in order to receive sewer service.

If the developer is to construct the planned sewer, the developer will pay the cost of an 8-inch sewer for the required length, and CCWS will pay the differential cost, if any, for the larger planned sewer pipe size. CCWS reserves the right to determine if the developer or CCWS constructs the planned sewer.

If the developer does not construct the planned sewer, use of a PDA or SSAA may be considered by CCWS, with subsequent approval by the Cobb County BOC. An area map delineating the proposed

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development, existing CCWS sewers, CCWS planned sewers, and the proposed route for connection to existing CCWS sewer must be provided by the developer, along with a cost determination for construction of the planned sewer.

4. Financing

CCWS will maintain a CIP identifying the location and schedule of planned sewers and will construct planned sewers using available funds accumulated from collection of system development fees, user charges, or other regular or special CCWS charges. Nothing in this policy prohibits the use of borrowed funds such as revenue bonds, which CCWS may, from time to time, obtain in the normal course of business. Funds obtained from PDAs or by creation of an SSAA may also be used to fund planned sewers.

Sewer extensions that will be constructed by developers will be constructed using their own funds. No planned sewers or sewer extensions constructed by a developer will be accepted by CCWS without written documentation that construction of the sewer extension is in accordance with CCWS standards and specifications, that it is fully paid for, and that there are no liens associated with the sewer. Where CCWS reimburses the developer for using a sewer pipe size greater than 8-inches in diameter, reimbursement will be following acceptance of the sewer by CCWS and submittal of a written request by the developer.

If CCWS elects to construct the planned sewer ahead of schedule to accommodate the request of a developer, the developer will pay the cost of an 8-in diameter sewer for the required length in the absence of an approved PDA or SSAA. The developer will pay his share of the cost at the time of the award of the construction contract. Documentation for the cost of the planned sewer and/or cost of 8-inch sewer pipe for the length of a planned sewer is required.

5. Cost Sharing

On occasion the construction of a sewer extension by a developer must pass through other unsewered parcels of property to reach the closest existing CCWS sewer. In these instances, developers will extend the sewer for themselves as needed. Construction will be at the developer's cost with no CCWS participation.

An early developer may be partially reimbursed by later developers in accordance with written determination made by CCWS. The first developer may receive partial reimbursement for the cost of the sewer which passes through and is available to other properties. The reimbursement will occur only for benefitting properties that will utilize the sewer prior to final acceptance of the first development or within 3 years of placing the sewer into service, whichever occurs first.

Later developers will pay a reimbursement fee to CCWS concurrent with approval of development plans. CCWS will pay the reimbursement to the first developer on a quarterly or other agreed upon schedule. The amount of the reimbursement will be determined by CCWS. It will be based on the actual cost of the sewer extension beyond the first developer's property and the actual development of the downstream property. If there are multiple downstream properties, CCWS will estimate the density of potential development.

The amount of reimbursement will be computed as an amount per equivalent residential unit (ERU). CCWS will retain an administrative charge of five (5) percent of the computed reimbursement. Reimbursement payments will be made to the first developer only if subsequent development occurs and payments are received by CCWS from the later developer. Reimbursements made by CCWS to developers will always be less than or equal to payments received from later developers.

The first developer must provide documentation of the actual cost of construction of the sewer extension outside of his development. CCWS must provide calculations for the amount of reimbursement to the first developer.

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6. Dry Sewers

If an existing or planned sewer is not available to a proposed development, the developer may request use of septic tanks until the planned sewer is constructed. The CCWS may recommend the temporary use of septic tanks and construction of dry sewers. Use of on-site disposal systems would be allowed until the planned sewer is constructed. Dry sewers shall meet all Cobb County construction standards. Septic tank systems are approved and permitted by the Health Department.

The System Development Fee for each developed parcel shall be paid by the builder prior to issuance of a building permit.

7. Sewer Advisory Committee

The BOC may create a Sewer Advisory Committee to assist in administrating the sewer extension policies and all question of policy that may be brought to the committee prior to consideration by the BOC. The membership of the committee shall include one Commission member, the County Manager or an Assistant County Manager, the CCWS Director, and/or other individuals as designated by the BOC.

The committee shall be available to persons as the first point of appeal of decisions made by the CCWS and shall make recommendations to the BOC regarding the use of SSAA and PDA for new developments. The committee shall also make recommendations to the BOC regarding the administration of policy for septic tank neighborhoods.

The committee will have, subject to approval of the BOC, authority to enforce all portions of the sewer extension policy or to waive selected portions of the policy if it is in the best interest of the County to do so.

B. For Existing Septic System Neighborhoods

1. Homeowner Service Requests

Property owners in septic tank neighborhoods may request sanitary sewer service for their developments. Homeowner-initiated requests for service must have a minimum of 65 percent of the owners of the properties within the area to be served agree that sewer service be provided and 25 percent must agree to connect as soon as the sewer is available. CCWS reserves the right to require more or allow less than 65 percent approval depending on the number of homes and the extent of septic tank failures in any neighborhood.

The request shall be by written petition. No more than one person per parcel of property may sign the petition, and the legal title holder for the property must sign the petition. Signing the petition will be taken as a firm commitment to connect to the CCWS sewer when it becomes available. The minimum 65 percent signatures must be obtained within a single 90-day time period. A new petition be may initiated at any time. CCWS must be notified in writing any time a petition drive is initiated. A Standard Petition Form which clearly states the cost to the property owners must be used.

CCWS will evaluate the request for service. Approval for construction of the sewer service to serve the development must be obtained from the Cobb County BOC following recommendation for the project by CCWS or the Sewer Advisory Committee. CCWS will prioritize projects and set a schedule for construction of the necessary sanitary sewer extension.

2. Health/Environmental Need

CCWS will identify developments and notify affected property owners where failure of existing septic tanks has created a public health or environmental threat and created a need for sewer service to those developments.

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Cobb County, CCWS, or the Health Department may initiate a request for providing sewer service to a development served by septic tanks. Cobb County initiated action does not require the approval of the property owners. Affected property owners will be notified of initiated action.

CCWS must provide a minimum of 6 months advance notice of its plan to provide sewer service to a development. The time for advance notice may be reduced in the event of an imminent public health threat.

3. Need Evaluation

CCWS will evaluate requests for service to confirm the need for providing sewer service to a septic tank neighborhood. All requests for service must be evaluated and documented in writing.

CCWS will evaluate the request for service based on the following or similar criteria:

- History of failures (as recorded by the Health Department or other written documentation) and any resulting damages,
- Soils in the development,
- Lot sizes in the development,
- Risks to public health and the environment,
- Availability of reasonable alternatives, and
- Cost to provide sewer service

CCWS will consult with the Sewer Advisory Committee, if appropriate. The evaluation will be provided to a representative of the petitioning neighborhood. CCWS will make final recommendation to the BOC, and the BOC may approve, disapprove, or request additional information for the sewer extension.

Documentation required includes an evaluation of need; comments by Sewer Advisory Committee (if appropriate), Health Department, and residents of the development; and response to comments.

4. Financing

CCWS and the residents of the development will share in the cost of construction of the sewer extension and the sewers inside the development. The BOC will establish an annual funding amount within the CCWS CIP. CCWS will arrange for design and construction of all portions of the sewer extension to the development and for all publicly owned portions of the sewer system inside of the development. CCWS will directly pay for all costs associated with the publicly owned portions of the project.

A portion of the project cost will be paid to CCWS by property owners within the development and any property owners along the route of the sewer extension outside of the development who are able to connect to the sewer extension by gravity.

Property owners connecting to the sewer will pay:

To CCWS:

- The SDF as contained in the current rate schedule of the CCWS.
- A one-time sewer extension fee for a portion of the cost of the sewer extension and the sewers within the development.

To others:

- All costs related to privately owned components required for connection to the CCWS sewer. These include, but are not limited to, the service lateral, connection to the CCWS stub-out, and decommissioning the septic tank and drain field.

CCWS will provide an option for temporary financing for the property owner's share of the CCWS costs. Property owners may finance their share of CCWS costs (SDF and sewer extension fee but not the cost of

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private property improvements) through the County at no interest for a period of up to 10 years. An application to the County for financing is required.

The one-time cost is reduced by a sewer extension discount if the property owner pays it at the time when the sewer becomes available instead of financing it through the CCWS.

CCWS will place a lien on the property of anyone who elects to use the County's no-interest financing. Any outstanding balance shall be paid to Cobb County upon sale or transfer of the property. Monthly payments will be made as an addition to the property owner's regular CCWS bill. The Sewer Extension Assessment and SDF are payable when the sewer extension becomes active.

If a property owner elects not to connect to the new CCWS sewer, payment of the sewer extension fee and the SDF may be deferred until connection is made. The prevailing SDF at the time of connection is the amount that the property owner must pay.

5. ADMINISTRATION

The Sewer Extension Policy is administered by the Engineering and Records Division of Cobb County Water System. Contact is Steven Nestor at 770-419-6321 or steven.nestor@cobbcounty.org.

6. FEES AND SAMPLE PETITION

Fees and a sample Petition follow this page.

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COBB COUNTY SANITARY SEWER EXTENSION PETITION

1. Extension of service to septic tank neighborhoods will be in response to either: (a) a petition signed by at least 65% of property owners in a designated service area and at least 25% of the property owners in this area agree to connect to sewer as soon as it becomes available, or (b) an identified threat to the environment or public health.
2. The connection fee will be the sum of the Sewer Extension Fee of \$2,300.00 and the standard System Development Fee (SDF) of \$2,900.00 currently, for a total of \$5,200.00. There will be additional costs to the homeowner for re-plumbing the private property and connecting to the sewer tap provided by the County.
3. The \$5,200 fee will be discounted by \$600 if fee is paid in full (for a single payment of \$4,600). Or the \$5,200 initial charge may be financed by the Cobb County Water System (CCWS) with no interest over ten years (payable each month on the water bill). A lien is placed against the property for those choosing to finance the charge. Any outstanding balance must be paid off at the time a property is sold or ownership transferred.
4. Property owners are not required to pay any fees until they are ready to connect to the sewer; however, the fees stated herein are only guaranteed for six months after the sewer is available (i.e. construction complete). After six months, the fees in effect at the time of connection must be paid in order to connect.
5. Property owners that choose to sign the Petition and initial under Option 1 are not obligated to connect to sewer if their septic system is functioning properly. However, once sanitary sewer service becomes available, the County Board of Health may require property owners to connect to County sewer if a septic system is determined to be inadequate, requires repair, or other issues.
6. Typically, construction and installation of sanitary sewers occur within the County right-of-way and often in the middle of the street. Temporary road closures, barricades, construction equipment, staging of materials, and other construction related activities may cause a nuisance to the property owners. There may be temporary road plates, pavement patching, and other items installed until coordination for resurfacing with CDOT is complete.
7. **If you sign the petition, it is reasonably expected that you will also donate any easements that may be required should sewer encroach upon private property.** Generally, easements are designed in an area with the least amount of impact to the property owner. Costly or difficult easement acquisitions could delay or even jeopardize sewer service to the area.

SEWER EXTENSION FEES

The following fees and payment options are available when signing the petition:

Sewer Extension Fee (one time):	\$2,300.00
System Development Fee (one time):	+ \$2,900.00
	= \$5,200.00
Discount, if all fees paid in full (one payment):	- \$600.00
Total due →	= \$4,600.00
- or -	
Sewer Extension Fee (one time):	\$2,300.00
System Development Fee (one time):	+ \$2,900.00
Total due (amount financed at 0% for up to ten years)*	= \$5,200.00

*Financing adds about **\$43.33** per month to the regular CCWS water bill (10 years)

THESE COSTS DO NOT INCLUDE YOUR MONTHLY SEWER SERVICE CHARGES AND DO NOT INCLUDE THE COSTS FOR YOUR PLUMBER TO CONNECT YOUR HOME TO THE SEWER TAP LEFT FOR YOUR PROPERTY

Questions? Contact **Steven Nestor** with Cobb County Water System at **770-419-6321** or steven.nestor@cobbcounty.org

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COBB COUNTY WATER SYSTEM ~ PETITION FOR SANITARY SEWER SERVICE					
				<u>INITIALS OF PROPERTY OWNER</u> (Choose one)	
<u>ADDRESS OF PROPERTY</u>	<u>PRINTED NAME OF PROPERTY OWNER</u>	<u>SIGNATURE OF PROPERTY OWNER</u> (I have read and understand the Cobb County Sewer Extension Petition Policy Summary found on Page 1)	<u>DATE</u>	<u>OPTION 1</u> I AM IN FAVOR OF EXTENDING SANITARY SEWER SERVICE TO MY AREA. I MAY CONNECT AT A LATER TIME BUT NOT IMMEDIATELY	<u>OPTION 2</u> I AM IN FAVOR OF EXTENDING SANITARY SEWER SERVICE TO MY AREA AND I WILL CONNECT IMMEDIATELY ONCE AVAILABLE

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REVISION HISTORY

Version ID	Date of Change	Author	Rationale
	10/19/2023	Water	Update Contact Info