



PURPOSE:

To determine whether the connection fees included in section 5 of the Town of Conception Bay South Water and Sewer Regulations applies and the payment schedule for such fees and the means by which payment is secured by the Town.

AUTHORITY:

PART VI, Sections 149-155 of the Municipalities Act, 1999

PROCEDURE:

1. The Connection Fee applies to:

All existing and new residential and commercial buildings connecting, or capable of connecting, to the Town's water and/or sewer system, whether or not such buildings may be occupied, **EXCEPT:**

- a) Properties that were subject to and paid the Local Improvement Assessment levied from October 1991 to May 10, 1994, **OR**
- b) Houses existing and provided with services prior to October 1991 and subject to the annual water and sewer tax, **OR**
- c) Properties connecting to a system installed by a developer under a subdivision agreement with the Town, limited to the number of service stubs approved for building lots as per the Subdivision Agreement. Fee will not be waived for unapproved service stubs, **OR**
- d) Properties where the building or other premises is greater than two hundred (200) feet of the system as measured from the property boundary along the street which contains water and/or sewer to the side/end of the house closest to the street, **OR**
- e) Properties where gravity flow of the sewer system is not available.



2. The Connection Fee is due on:
 - a) Issuance of a water and/or sewer permit, OR
 - b) In the case of existing houses ONLY on streets services since May 10, 1994, within six months of the mains being installed, whichever is first, in the following manner:
 - A. Houses existing on a street at the time of installation of the main line, at the option of the property owner, may either:
 1. payment in full, OR
 2. by way of a promissory note, in form prescribed by Council and including as conditions of the note, the following minimum conditions:
 - a. payment is by four equal annual instalments with the first instalment being due on the issuance of the water and/or sewer permit or six months of the mains being installed, whichever is first and the other instalments due on the anniversary date of the first payment, AND
 - b. the full balance outstanding due upon the sale of the property, AND
 - c. arrears in instalments of the connection fee are subject to interest at the rate set annually by Council for arrears of taxes under Section 107 of the Municipalities Act, AND
 - d. where there are arrears in instalments of the connection fee, all instalments then become due and are considered to be in arrears, AND
 - e. any arrears in instalments of the connection fee become a lien on the property in the manner described in Section 154 of the Municipalities Act.



- B. New residential or commercial buildings constructed after the main lines have been installed by the Town:
 - 1. Payment in full upon issuance of the water and/or sewer permit.
 - 2. Payment from the first or subsequent draw from the homeowner's mortgage (whichever is applicable) or current payment for refinancing purposes upon receipt of confirmation from solicitor of the applicant. The lawyer's letter will be accompanied by a Promissory Note signed by the homeowner. Interest charges will apply to balances outstanding for more than thirty days.

3. EXEMPTION AND REMISSION

- A. Where an existing residential or commercial building is deemed to be no longer suitable for its intended use, it may, upon application by the owner and subject to the consideration of Council, be exempt from the connection fee, only if the building is demolished, removed, or otherwise converted to another use to which a connection fee, under Section 1 of this policy, would not apply.

In the event that a building that is connected to the Town water and/or sewer services is demolished or removed the property owner may, by indicating the option selected on the prescribed form,:

- 1. continue to pay the yearly water and/or sewer taxes at a rate reflecting the reduced property value due to the removal of the building. This would ensure that if the property is redeveloped at some point in the future, the water and/or sewer services will be available for reconnection to the new building. The property would remain as a "serviced building lot."
- 2. choose to cease paying the annual water and/or sewer taxes once the building is removed. If this option is selected, the property becomes an unserviced lot and must pay the connection fee if the property is redeveloped at some point in the future.



Town of Conception Bay South Policy Manual

Title: Connection Fee Policy
Policy Number: 040

Resolution Number: 08-266
Date Approved: July 15, 2008

The connection fee would be payable at the rate established in the current Schedule of Rates and Fees at the time of redevelopment.

- B. The Council, on a vote of 2/3 of the Councillors in office, may grant an exemption, remission or deferment of the connection fee and interest on the connection fee, either in whole or in part.
- C. Where an individual applies for an exemption, remission or deferment of the connection fee, he or she shall apply, annually in the case of a deferment, and shall provide evidence of need satisfactory to the Council.

REVISION HISTORY:

Revision:	Author:	Change Made:	Date: