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## Sanitary Sewer Petition Policy

The Gwinnett County Sewer Petition Policy was designed to improve public health and water quality by facilitating the connection of existing homes and businesses on individual disposal systems to public sanitary sewer.

The Policy provides the necessary information for an individual or representative of a homeowner group to work with the assigned Department of Water Resources Program Manager to initiate the adoption of a petition, which will allow the construction of a public sanitary sewer system to serve a specific property, or group of properties within a sewer petition area. Specifically, the Policy identifies the sequence of procedures and the number or percentage of signatures needed in a petition; what constitutes the petition area; the property owners' share of the cost of a sewer participation project, and other related information.

The individual or representative initiates the sewer petition process, which will trigger the Program Manager to conduct a feasibility analysis on extending sanitary sewers; develop preliminary design and construction cost estimates; meet with the affected community to explain the impact of the project; hire consultants to coordinate completion of the design; and preparation of a construction bid package. The final steps include developing presentation and agenda item materials for the Water and Sewerage Authority and the Board of Commissioners to authorize the project, and upon receipt of the construction bids, prepare the necessary documents for bid award.

The entire process is lengthy, sometimes taking as much as a year to complete, and should not be viewed as an immediate solution for a failing on-site system.

### Attachment:

- I - Request for Sanitary Sewer Service
- II - 2009 Sewer Petition Policy



**GWINNETT COUNTY**  
**DEPARTMENT OF WATER RESOURCES**  
Engineering & Construction Section  
(678) 376-6700 • FAX (678) 376-6717

Attachment - I

REQUEST FOR SANITARY SEWER SERVICE

GEORGIA, GWINNETT COUNTY

TO THE DEPARTMENT OF WATER RESOURCES

The undersigned property owners request that the Department of Water Resources perform a preliminary survey to determine if sewer can be provided to the area. Provided an area can be served, the area will be defined.

The request must be made by five (5) or more homeowners within the same drainage basin and within a quarter-mile diameter area.

<u>NAME</u>	<u>NUMBER AND STREET</u>	<u>PHONE NUMBER</u>
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____

DATE SUBMITTED \_\_\_\_\_

## Attachment - II

### **GWINNETT COUNTY 2009 SEWER PETITION POLICY RESOLUTION**

In accordance with the grant of Home Rule to Gwinnett County, pursuant to GA Const. Art. 9, S.2, P.1 and with Art. 1, Sec. 11, Gwinnett County Code of Ordinances, and with Art. II, Div. 8, Secs. 4 and 23, Gwinnett County Code of Ordinances, the Gwinnett County Water and Sewerage Authority and the Gwinnett County Board of Commissioners hereby jointly adopt the following resolution.

WHEREAS, water quality of Gwinnett County's streams and lakes can be improved by connecting existing homes and businesses on individual sewage disposal systems to public sewer; and

WHEREAS, the long term welfare of the residents of Gwinnett County is served by greater accessibility to public sewer; and

WHEREAS, the extension of public sewer into areas served by individual disposal systems can be prohibitively expensive to individual property owners; and

WHEREAS, the Water and Sewerage Authority and the Board of Commissioners want to improve water quality and community welfare by facilitating the conversion of areas to public sewer.

NOW THEREFORE, BE IT JOINTLY RESOLVED by the Gwinnett County Water and Sewerage Authority and the Board of Commissioners that the attached 2009 Sewer Petition Policy shall be adopted and implemented as soon as practicable.

Passed and adopted by the Water and Sewerage Authority on November 16, 2009 and by the Board of Commissioners on November 17, 2009.

Attachment: 2009 Sewer Petition Policy

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(Signatures on next page)

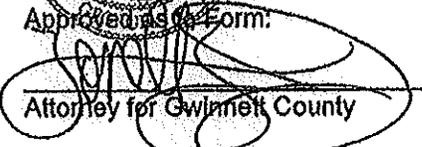
GWINNETT COUNTY  
BOARD OF COMMISSIONERS

BY:   
Charles E. Bannister, Chairman

Attest:

  
County Clerk/Deputy County Clerk

Approved as to Form:

  
Attorney for Gwinnett County

GWINNETT COUNTY  
WATER AND SEWERAGE AUTHORITY

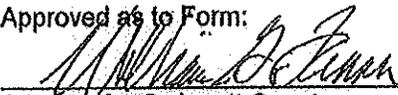
BY:   
Michael Sullivan, Chairman

Attest:

  
Clint Dixon, Secretary

(SEAL)

Approved as to Form:

  
Attorney for Gwinnett County  
Water and Sewerage Authority

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## **2009 SEWER PETITION POLICY**

### **Purpose and Intent**

The purpose of the sewer petition policy is to improve public health and water quality by facilitating the conversion of existing homes and businesses on individual disposal systems to public sewer. This purpose is accomplished by the cost-sharing formula described herein.

The intent is to extend public sewer up to and into developed areas on individual disposal systems. It is not the intent of this policy to make public funds available to extend public sewer to undeveloped land.

The sewer petition policy outlined below is only available to Gwinnett County retail water customers.

### **Sewer Petition Sequence**

1. Request to Department of Water Resources by five or more property owners within the same drainage area and within a quarter-mile diameter area.
2. Department of Water Resources defines petition area by topography and estimates the cost per lot.
3. Petitions circulate during 180-day period.
4. Successful petitions presented to the Water and Sewerage Authority by the Department of Water Resources; Water and Sewerage Authority directs the Department of Water Resources to prepare detailed plans and specs.
5. Detailed plans prepared by the Department of Water Resources or by a consulting engineer engaged by the Department.
6. Water and Sewerage Authority public hearing on the improvement district, with not-to-exceed assessment figures published as part of the hearing notice.
7. Construction.
8. Water and Sewerage Authority reviews and approves ordinance establishing final assessment amounts at or below the not-to-exceed figures previously advertised.
9. Board of Commissioners adopts ordinance establishing assessment.

### **Petitions**

Property owners in septic tank neighborhoods may request sanitary sewer service for their neighborhoods. Requests for a sanitary sewer extension must have a minimum of 70% of the owners of the properties within the area to be served agree in writing with the request that sewer service be provided.

The request shall be by written petition. All legal title-holders for the property must sign the petition. Signatures must be obtained within a single 180-day time period. A new petition may be initiated at any time. If property ownership changes before the petition is submitted the signature of the previous owner will not be counted.

Gwinnett Department of Water Resources must be notified in writing any time a petition drive is initiated. A Standard Petition Form, which clearly discloses the possible costs to the property owners, must be used.

If the estimated cost increases after step 4, the Department of Water Resources will nonetheless proceed through the sequence of steps based on the percentage of signatures needed at step 4.

### **Petition Areas**

Petition areas will be defined by the Department of Water Resources according to a preliminary sewer plan. Petition areas need not coincide with subdivision boundaries or other ownership features. However, no more than 10% of the length of the new sewer should front undeveloped land.

If more than 10% of the length of the sewer fronts or is adjacent to land that has not been developed, meaning property on which structures have not been built, then all of the cost of the sewer extension which is adjacent to that undeveloped land shall be assessed to all of the property owners with no cost sharing by the county. This exclusion is consistent with the intent of the sewer petition policy.

### **Cost Participation**

The cost of extending public sewer shall include all costs of easement acquisition, design, permitting by agencies other than Gwinnett County, construction, and related activities. The time spent by the Department of Water Resources staff shall not be included. Any or all of the work may be outsourced at the Department of Water Resources' discretion.

One-third of the cost shall be borne by the property owners, with the following exception:

There shall be no participation by the County in the payment of sewer system development charges.

**Budget and Criteria.**

An annual budget shall be established for the expenditures related to petition sewers. If the budget becomes exhausted before the end of the fiscal year, then no further petitions will be presented until the following year.

In the event that petitions are presented which compete for the available remaining budget, the Department of Water Resources will make recommendations based upon criteria including, but not limited to, the following: cost effectiveness (\$/lot), public health and water quality problems, and feasibility of onsite repair and rehabilitation. In the event that budget becomes limiting for competing petitions, the Department of Water Resources will solicit the Georgia Department of Human Resources Environmental Health Division's written opinion on the functional status of individual disposal systems in the petition area. Included in the solicitation will be factors such as percentage of individual systems in failure mode, public health and nuisance conditions, and options for repair and rehabilitation of existing systems.

**Design Criteria**

All petition sewers will conform to the Department of Water Resources standards for sanitary sewers and sewage pumping stations, as well as applicable county, state, and federal regulations for stream buffers, erosion and sediment control, wetlands, etc.

All sewer main extensions must be constructed to the upgradient property lines at a depth sufficient for further extension at a later time, if such future extension is topographically feasible.

The Department of Water Resources reserves the right to explore innovative technologies to sewer particularly challenging areas.

**Assessments**

The portion of the total cost to be collectively assessed to the property owners subject to assessment will be divided equally among the parcel owners. The sewer petition assessments will thus be independent of lot size or length of sewer frontage.

Assessments will be applied to all unsewered parcels with frontage on or access to gravity sewer main, whether said access is by gravity or by privately owned and maintained pumps.

Tracts of land which may be excluded from assessments include parcels which are undevelopable, recreation set asides, land under perpetual conservation easements, or homeowner association common areas which could not utilize a sewer tap.

#### **Payment of Assessments**

Assessments will be payable on a monthly basis on a ten year amortization schedule at 5% interest. All assessments due shall be recorded as a lien on the property.

Property liens are non-transferrable and must be paid in full if a property owner sells the property.

Unpaid principle may be paid in a lump sum at any time with no interest due on the remainder owed.

#### **Connection**

The property owner is encouraged to connect to the public sewer once it becomes available; however, immediate connection is not mandated unless public health, water quality, or nuisance conditions as determined either by Gwinnett County or the Environmental Health Division warrant immediate connection.

No part of the septic tank or leach field shall be incorporated into the public sewer connection.

#### **Sewer System Development Charge**

A sewer system development charge which is current as of step 8 of the sequence may be included with the assessments upon prior receipt of a letter requesting such inclusion from the property owner; however, 100% of the cost of the sewer system development charge shall be borne by the property owner, and shall incur interest charges at the same rate as the assessment.