

# County Water/Sewer Policy

## 1.0 General Provisions

- 1.1 This policy provides the guidelines and conditions for the extension of the sanitary sewer system and public water systems in unincorporated Polk County.
- 1.2 The County shall review all requests for on-site sewage disposal systems and well permits or water connections.
  - 1.21 If water or sewer is available, the developer/owner will be required to extend and/or connect as a Privately Financed Extension and execute a Development Agreement with the County.
  - 1.22 If water or sewer is not available, the owner/developer will be granted an on-site sewage disposal or well permit as appropriate and owner/developer shall execute a Development Agreement with the County.
  - 1.23 If located in a new subdivision, the Development Agreement will require the installation of water pipes and dry sewer sufficient to meet County Subdivision requirements.
  - 1.24 If not located in a new subdivision, the Development Agreement will require that the parcel owner/developer, successors or assigns connect to the sewer or water within one (1) year of service becoming available.
- 1.3 Water and sewer projects may be initiated by petition, by public health necessity, or by privately financed extension.
  - 1.31 Projects by petition and health necessity are approved, constructed and financed by the County, are assessed, and are subject to connection fees.
  - 1.32 Projects by privately financed extension are approved by the County, privately financed and constructed, may be partially eligible for reimbursement for some system costs, and are subject to frontage, acreage, and connection fees.
- 1.4 The County Board shall approve all plans and authorize the extension of water and sewer lines before any commitment for water and sewer service can be made.

## 2.0 Projects by Petition

- 2.1 Petitions for water or sewer service shall be submitted on forms provided by the County and shall be signed by at least sixty percent (60%) of property owners who also represent at least sixty percent (60%) or more of the potentially assessable front footage. The Petition shall be filed with the Utilities Division of the Public Works Department. The Utilities Division shall check the validity of the Petition, and cause a Preliminary Engineering Design and Feasibility Study, Budget Estimate and Preliminary Assessment Roll to be prepared.
- 2.2 The Utilities Division shall hold a Community Meeting with the petitioners and others in the petitioned area, to discuss Preliminary Design, the Preliminary Project Budget, the Preliminary Assessment Roll and Plat, and make a determination if the project has sufficient support to continue. Any change which reduces the 60% petitioners and/or 60% frontage minimums will invalidate the petition.
- 2.3 If a recommendation to proceed is made, the County staff shall present the Petition, Preliminary Design, the Preliminary Project Budget and the Preliminary Assessment Roll and Plat to the County Board. The County Board may approve, revise, continue or reject the Petition.
- 2.4 If approved, the date of the Public Hearing will be set.
- 2.5 The Utilities Division shall file with the Auditor a Notice of Public Hearing, A Project Resolution and Resolution of Necessity which shall include a Preliminary Project Budget and a list of potentially affected property owners, their mailing addresses, and the Preliminary Assessment Roll and Plat per Iowa Code 384.41. The Auditor shall cause the Notice of Public Hearing to publish one time in a newspaper at least ten (10) days but not more than 20 days prior to the date of the Public Hearing.

At least ten (10) days prior to the Hearing, the Auditor shall mail notice of the Public Hearing and the Project Resolution to all property owners subject to assessment. The

Auditor shall certify to the Board of Supervisors that publication of the hearing and mailing of the Hearing Notice and Project Resolution have taken place.

- 2.6 After the Public Hearing, the Board of Supervisors may adopt a Project Resolution and Resolution of Necessity directing the project take place, and a Project Budget setting the amount of the estimated cost which may include a default fund. These actions shall cause a pending lien to be placed against the affected properties per Iowa Code 384.65.
- 2.7 If the Project Resolution and Project Budget are approved, the Utilities Division shall select an engineering firm to design the project, and select a consultant for right-of-way acquisition. The County staff may choose to do design or acquisition with County staff in which case the costs of these services will be paid for from the Project Budget.
- 2.8 Upon completion of design and right-of-way acquisition, a request for construction bids shall be advertised. The Utilities Division shall make a recommendation with regard to the bids. After hearing, the bid may be awarded by the County Board to the lowest responsible bidder. If necessary to ensure project completion, the Project Budget may be amended.
- 2.9 A copy of the Construction Contract and Schedule shall be prepared. County staff may inspect the work and be responsible for the release of progress payments; or these services can be contracted with a third party. Notwithstanding, the County will retain five per cent (5%) of all payments until the project has been completed and accepted.
- 2.10 The Utilities Division may authorize Change Orders using contingency funds not to exceed the Project Budget. In the event a Project Budget is exceeded, the Utilities Division may make a recommendation to the County Board, and the County Board may amend the budget.
- 2.11 Upon completion and acceptance of the project by the County shall make final payment to the contractor, and title to the water, sewer lines and appurtenances shall vest with the County. Warranties on this work shall be in the County's name, and the County shall be responsible for enforcement of the warranties.
- 2.12 The County shall complete final assessment for the project in accordance with procedures required by law. Assessments shall be for frontage/ service fees, acreage, and connection fees as set forth in this policy.

### 3.0 Projects by Public Health Necessity

- 3.1 If the County's Environmental Health Division determines that a fully or partially developed sub-area appears to experience widespread failure or malfunctioning of on-site systems; the Environmental Health Division shall conduct a survey of the on-site systems in the sub-area.
- 3.2 If the survey results indicate that the number of failing and malfunctioning systems is or will be detrimental to the general health and welfare of the sub-area, the Environmental Health Division shall make a written recommendation to the Utilities Division.
- 3.3 The Utilities Division shall treat the Environmental Health Division recommendation as if it were a Petition; however, the 60% minimum criteria with regard owner participation and frontage participation shall be disregarded.

### 4.0 Projects by Privately Financed Extension

- 4.1 Any citizen, company, or corporation may request permission to extend, at their own expense, water and sewer to their property, facility, or development. The terms and conditions of such permission shall be executed in the form of a Development Agreement between County and the developer.
- 4.2 The owner/developer shall contact the Utility Division at the County and determine the proximity of existing services to their property, facility or development. The owner/developer's engineer may be requested to provide information with regard to locations, elevations, flows, and other planned improvements.

- 4.3 The County shall determine the feasibility of the extension, the capacity of the system to receive the flow, and the compatibility of the proposed extension with County plans.
- 4.4 If it is determined that the owner/developer's extension should become part of the public system; then, with County Board approval, the owner/developer may install the system to Statewide Urban Design Standards and Specifications (SUDAS)-Current Year. All plans and designs, prepared by a private engineer, will be approved by the Utilities Division, and the extension will be inspected by the County, or an approved third party. The extension shall become property of the County upon completion by the owner/developer and acceptance by the County.
- 4.5 If it is determined that the owner/developer's proposed extension should be oversized beyond the owner's needs, or that an off site extension is needed to connect the owner to the system, or a lift station and force main is needed to serve the proposed sub-area; then, with County Board approval the owner/developer shall install and pay for all the desired improvements.
- 4.6 The County shall reimburse the owner/developer for the proportionate cost of the oversized line(s), the off-site connection, or the lift station and force main upon completion of the construction and certification of project costs by a professional engineer.
- 4.7 In the event off-site right-of-way is required to complete a project, the developer will offer the landowner no less than the appraised value of the right-of-way. The County agrees to reimburse the developer for only the appraisal report and the appraised value of the right-of-way upon project completion.
- 4.8 In the event right-of-way cannot be obtained the developer, the County will pursue right-of-way purchase, and allow construction once obtained. If the County obtains the right-of-way, the developer will not be reimbursed for the appraisal report, the right-of-way or easement, or any time or fees expended pursuant thereto.
- 4.9 If the owner/developer installs privately financed sewer or water lines, applicable acreage fees and connection fees will still need to be paid by the owner/developer at the time the Development Agreement is approved. Frontage fees will be satisfied by the owner's cost of construction of the water or sewer lines.
- 4.10 Fees for the off-site lines on intervening property will not be paid by the developer, but will be paid by the owner of that property at the time of application for service from the line.
- 4.11 The developer shall be responsible for the installation of sewer and water lines within their development and shall dedicate or deed right-of-way to the County, as appropriate, without cost. Private extensions must be constructed across the entire width of the owner/developer's property.
- 4.12 No work shall commence, nor shall any work be authorized under this Agreement unless and until the County Board has approved a Development Agreement with the owner/developer.

## 5.0 Assessments

- 5.1 In projects where the County acts as the owner/developer, interior sewer collection lines and/or water distribution mains may be installed and assessed. Assessments shall be for frontage/service fees, acreage fees and connection fees as set forth in this policy.
- 5.2 For lines not installed under an assessment procedure, charges will apply which would equal the assessment charge had the line been installed under an assessment procedure.
- 5.3 The County, in its discretion, may hold any assessment in abeyance, without interest, for a period not to exceed ten (10) years; provided, however, that if the owner of the abutting property desires to tap into the water or sewer line within the period when the assessments are held in abeyance, the owner will, prior to connection, pay a lump sum of the assessment and such other fees required on the entire tract involved.
- 5.4 In no case, shall an assessment exceed 25% if the lot valuation of the lot to be served by the water and sewer line.

## 6.0 Frontage Fees

- 6.1 Frontage fees shall be based on an eight-inch water line and an eight-inch sewer line, such levy to be \$41.00 per foot of frontage abutting a sewer line improvement; and \$26.00 per foot of frontage abutting a water line project.
- 6.2 The frontage abutting on the line will be the basis for making the assessments for linear footage charges.
  - 6.21 In cases where a sewer or water line only partially abuts a tract, an owner/developer shall be charged for the full length of frontage provided the property can be served.
  - 6.22 Outfall lines and main trunk lines running cross-country on undeveloped property and not abutting a street will not be assessed but a front footage charge will apply at the time of development.
  - 6.23 Where a line is installed along a street which abuts the City Corporate Limits, the property within the City will be assessed per this policy, if the City agrees to such assessment of its property owners.
  - 6.24 On a cul-de-sac, pie shaped, or flag lot the front footage shall be measured at the building setback line.
  - 6.25 A tract abutting two streets in which service is provided, but not a corner lot, shall pay an assessment on the service frontage. If service is subsequently taken from the second frontage, another front footage charge shall be made, otherwise the frontage not utilized may be held in abeyance.
  - 6.26 Where a street bisects a property, the owner must pay an assessment on both frontages.
  - 6.27 A lot adjacent to the intersection of two streets, or adjacent to a corner on a continuous street where the angle caused by such corner is between eighty and one hundred degrees (80°-100°) shall have the frontage fees exempted for one adjacent side. (Normally the short side.)

## 7.0 Acreage Fees

- 7.1 For water service, a charge of \$1,000 per gross acre for the area to be served; for sewer service, a charge of \$1,750 per gross acre for the area to be served. These fees are due at the time construction plan submission for approved water or sewer projects, or at the time of building permit or sewer service application in all other cases.
- 7.2 The charge shall be applied to all the contiguous acreage of a tract an owner/developer owns. This acreage shall include land unsuitable for development such as ponds, lakes, open space, parklands, and floodplains, and lands proposed for right-of-way, except that acreage fees for public right-of-way dedication in excess of thirty-three (33) feet from the centerline shall be exempt.
  - 7.21 If any portion of a tract cannot be served, the unserved area shall be computed by the Utilities Division and removed from the acreage fee computation.
  - 7.22 The acreage listed in the tax records will be used in the computation unless a survey is available. Any dispute on the acreage of a tract will be settled by survey.
- 7.3 The following exemptions shall apply under this Agreement:
  - 7.31 Frontage assessments and acreage fees applicable to County projects shall not be levied on Community Development Block Grant, HOME, Weatherization, or Emergency Assistance projects funded by the County, state, or federal government.
  - 7.32 Where service is desired for a single family or agricultural residence, which is part of a five (5) acre or more undeveloped parcel, the owner shall designate a minimum of one (1) acre for the purpose of connection thereto, and a linear frontage assessment of one hundred twenty five (125) feet shall apply to the "designated acre".

The remainder of the acreage and frontage shall be held in abeyance until the owner applies for a second connection, or subdivides, at which time the remaining acreage and frontage fees will be due.

- 7.33 Where parks and recreation property requires service, a minimum of one hundred twenty five (125) linear feet of frontage and a one (1) acre acreage charge shall apply for each structure served.

## 8.0 Service Connections

- 8.1 At least one water and sewer service shall be constructed according to Statewide Urban Design Standards and Specifications (SUDAS)-Current Year to connect each parcel immediately served by a project.
- 8.2 The cost of services installed in conjunction with water and sewer lines will be included in the water and sewer frontage fees.
- 8.3 A connection fee at the prevailing County rate will also be charged at the time of connection.
- 8.4 Services will be installed and assessed to all lots with existing structures when part of an assessed project; and included in frontage fees when not a part of an assessed project.
- 8.5 Services installed at the owner's request and not part of an assessed project will be charged at the prevailing rate as part of the connection fee.
- 8.6 Lines are assumed to run down the center of the street and each owner will be charged a connection fee accordingly.

## 9.0 Payment of Fees

- 9.1 Owner/developers shall pay assessments, frontage fees, acreage fees, and connection fees as appropriate. Owner/developer installed lines and mains are made in lieu of assessments or frontage/service charges, but not in lieu of acreage charges or connection charges.
- 9.2 A developer/owner may request that the a period of time, not to exceed ten (10) years, and they will be required to execute a Development Agreement with the County to:
- 9.21 Make the first installment of one-tenth of the fees due the County or satisfy fees necessary to record a plat, whichever is greater.
- 9.22 Make equal annual installments on the unpaid balance for the ten year period, these installments being charged interest at the bonded interest rate established at the time of project initiation. In no case shall the interest rate exceed nine percent (9%).
- 9.23 Recognize acreage fees as a first and prior lien upon developer/owner property.
- 9.24 Pay all outstanding fees due the County, should a part or all the parcel be sold.
- 9.25 Recognize that the County reserves the right to withhold any permit or license to which the developer/owner or their agents would otherwise be entitled in the event payments are not timely made or not made.

Contact: Public Works  
515-286 -3705  
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