

Charlotte Sewer Allocation Ordinance Primer

“Sewage Disposal Board” applies the sewer use and sewer allocation ordinances and is comprised of members of the Charlotte Selectboard and/or the group of individuals who shall be designated from time to time by the Selectboard to have that title, or their authorized deputy, agent or representative. *It is envisioned that the Selectboard itself will act as the “Sewage Disposal Board” similar in nature as it does as the “Liquor Control Board”*

“Disposal System” - A land based wastewater disposal system or disposal capacity rights (easement) owned by the Town of Charlotte.

“Plant Wastewater Flow” - Is the wastewater passing through the Disposal System in gallons per day on an annual average basis (365 day average) except where flows vary significantly from seasonal development. In the latter case, plant wastewater flow is determined as the average throughout the high seasonal use period, as determined by the Board. When daily readings are not available, the capacity shall be based upon Department permitted values.

Currently the Burns property is permitted for 4,999 GPD but can be expanded to 6,499 GPD. The Lavalette system is permitted for 900 GPD with the ability to expand that to 1,200 GPD. There are no other permitted Disposal Systems located within areas controlled by the Town of Charlotte

“Reserve Capacity” - Is the permitted wastewater flow minus the actual plant wastewater flow during the preceding 12 months. *Lacking Daily Flow readings, the existing value at the Burns property is 4,999 GPD – 3,052 GPD = 1,947 GPD.*

“Committed Reserve Capacity” - Is the total amount of total development wastewater flow (gallons per day) from all projects/buildings approved by the Board for discharge to the Disposal System, but not yet discharging at the time of the calculation. *This value is currently 0 GPD. The Wastewater Committee Report and the Ordinance contemplates a first priority allocation for future public facility Committed Reserve Capacity value of 435 GPD.*

“Uncommitted Reserve Capacity” - Is that portion of the reserve capacity remaining after subtracting the development wastewater flow of all projects approved by the Board but not yet discharging to the sewer. *After 435 GPD is committed for future public building expansion, the remaining Uncommitted Reserve Capacity is 1,947 GPD – 435 GPD = 1,512 GPD.*

5. Capacity Allocation

5.1. No capacity shall be allocated outside the sewer service area existing on the date of the adoption of this ordinance, except for properties used exclusively for state or municipal purposes, with approval by the Board or as provided by SECTION 7.

5.2. Allocation Priorities - Allocation of uncommitted reserve capacity shall comply with the following priority intended to govern the gross allocation of reserve capacity before the allocation

principles are applied to specific projects. *There are a number of public policy issues that need to be accommodated (as they are presented in the Town Plan) or as they may be otherwise applied in determining how the Uncommitted Reserve Capacity is allocated in the future. A brief outline of priorities is outlined below.*

- A. Expansion of existing public and Quasi-public facilities including the Senior Center, Town Hall, Library and Fire Department.
- B. Protection of public health through connection of failed systems.
- C. Commercial Development
- D. Preferred Residential Development

“Reserved Capacity Allocation” shall mean that amount of design flow assigned by the BOARD to a certain property for a specific use from the Uncommitted Reserve Capacity of the system.

All applications are required to undergo a three (3) step process.

1. **Feasibility** - All projects seeking a Disposal System allocation are required to demonstrate that there are no feasible on-site wastewater disposal solutions that are less expensive than the municipal Connection Fee in place at the time of application.
2. **Allocation** - Once the Feasibility Authorization has been issued by the Board, the applicant may make application to the Town for a preliminary allocation of design flows for the proposed project. The application materials shall follow the requirements outlined in section 9. The formal connection (construction) authorization shall follow the requirements set forth in Section 12.4
 - a. The Allocation shall be valid for one year and may be extended by the Board in 6 month increments up to two times.
3. **Connection Authorization:** The Board shall authorize the Town Administrator to issue a connection final sewer allocation and connection permit which allows the applicant to construct the necessary facilities and connect to the Town's sewers, after determining that the following conditions have been met.
 - a. This phase of the Ordinance can only occur after all underlying permits enabling the project have been issued.
 - b. This is when the Connection Fee is collected. *There are a number of public policy issue that need to be addressed in setting the future Connection Fee.*
 - c. If the connection is not physically completed, then the permittee is charged a “Holding Fee” every six months.
 - d. Once the connection is completed, the regulation of the use and charging of user fees is switched to the Sewer Use Ordinance.