

COPY

AMENDMENT TO WATER AND WASTEWATER
SYSTEM DEVELOPMENT FEES ORDINANCE

WHEREAS, Article 8 of Chapter 162A of the General Statutes of the State of North Carolina authorize a local government unit to adopt a system development fee for water service and sewer service calculated based on a written analysis; and

WHEREAS, North Carolina General Statutes Section 162A-209(c) requires a local government unit to update the system development fee analysis at least every five years; and

WHEREAS, at a regular meeting held December 3, 2018, the Board of Commissioners of the Town of Murphy, North Carolina, duly adopted a system development fee analysis; and

WHEREAS, at a regular meeting held December 4, 2023, the Board of Commissioners of the Town of Murphy, North Carolina, adopted an updated system development fee analysis entitled "Cost - Justified Water and Sewer System Development Fees, 5-Year Update Report, Town of Murphy, North Carolina" prepared by McGill Associates, P.A.; and

WHEREAS, said updated system development fee analysis based the system development fee charges on the cost per gallon of flow per day based on standard design flow rates for water as specified in Section 18C.0409 of Chapter 15A of the North Carolina Administrative Code (15A NCAC 18C.0409) and for wastewater as specified in Section 02T.0114 of Chapter 15A of the North Carolina (15A NCAC 02T.0114) ; and

WHEREAS, the cost per gallon of flow per day for water calculated according to said updated system development fee analysis is \$2.37; and

WHEREAS, the cost per gallon of flow per day for wastewater (sewer) calculated according to said updated system development fee analysis is \$7.60; and

WHEREAS, it is the opinion of the Board of Commissioners of the Town of Murphy, North Carolina, that the system development fee charge for water service should be \$1.75 per gallon of flow per day and the system development fee charge for sewer service should be \$5.00 per gallon of flow per day which the Board of Commissioners of the Town of Murphy, North Carolina, is aware and acknowledges are less than maximum amounts which could be charged pursuant to said updated system development fee analysis; and

WHEREAS, the system development fee charge for a Service Unit for a three-bedroom single family residence (an Equivalent Residential Unit) would be as follows:

\$1.75 per gallon of water times 400 gallons of flow per day equals	\$700.00
\$5.00 per gallon of wastewater (sewer) times 360 gallons of flow per day equals	<u>\$1,800.00</u>
Total	\$2,500.00

; and

WHEREAS, it is the opinion of the Board of Commissioners of the Town of Murphy, North Carolina, that the Water and Waste Water System Development Fees Ordinance, Chapter 52 of the Code of Murphy, North Carolina, should be amended accordingly.

NOW, THEREFORE, IT IS ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF MURPHY, NORTH CAROLINA:

SECTION 1: AMENDMENT. The Water and Waste Water System Development Fees Ordinance, Chapter 52 of the Code of Murphy, North Carolina, is hereby amended by striking and deleting Section 52.01 in its entirety and inserting in lieu thereof the following:

§ 52.01. SYSTEM DEVELOPMENT FEE SCHEDULE

In addition to the existing tap fees, a system development fee shall be charged against any lot or tract of land and the owner or tenant thereof whose water and/or wastewater (sewer) service shall be connected to any water line and/or wastewater (sewer) line owned by the Town of Murphy. The system development fee shall be charged based on gallons of flow per day as follows:

Water

\$1.75 per gallon of water flow per day calculated pursuant to the daily flow requirements as set forth in Section 18C.0409 of Chapter 15A of the North Carolina Administrative Code (15A NCAC 18C.0409).

Sewer

\$5.00 per gallon of flow per day calculated pursuant to the daily flow for dwelling units and other establishments as set forth in Section 02T.0114 of Chapter 15A of the North Carolina Administrative Code (15A NCAC 02T.0114).

SECTION 2. REPEAL OF CONFLICTING ORDINANCES. All ordinances and parts of ordinances inconsistent with the terms of this Ordinance are hereby repealed provided that such repeal shall be only to the extent of such inconsistency and in all respects this Ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this Ordinance.

SECTION 3. SEVERABILITY. If any section or provision, or part thereof, in this Ordinance shall be adjudged invalid or unconstitutional, such invalidity and unconstitutionality shall not affect the validity of this Ordinance as a whole or of any other

section, provision, or part hereof.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective immediately upon adoption.

ADOPTED AND PASSED by unanimous vote of the Board of Commissioners of the Town of Murphy, North Carolina, at a regular meeting on the 2nd day of January, 2024.

Commissioner

Commissioner

Commissioner

Commissioner

Commissioner

Commissioner