

**TOWN OF HAMILTON
LOUDOUN COUNTY, VIRGINIA**

RESOLUTION: 2015-16

PRESENTED: September 14, 2015

ADOPTED: September 14, 2015

A RESOLUTION: AUTHORIZING A PUBLIC HEARING TO RECEIVE COMMENTS AND TAKE ACTION ON PROPOSED AMENDMENTS TO TOWN WATER ORDINANCE ARTICLE III, WATERWORKS USE AND SERVICE CHARGES, SECTION 3-5 (a), (b) and (c) SWIMMING POOLS, AND TOWN SEWER ORDINANCE ARTICLE IV, EXTENSION OF PUBLIC SEWER, SECTION 19-20(d).

WHEREAS, Code of Virginia of 1950, as amended, §§ 15.2-2111, -2119, and -2143 authorize a governing body to adopt ordinances for municipal water and sewer system fees and charges and Code of Virginia of 1950 § 15.2-107 requires a public hearing prior to the adoption of such fees and charges; and

WHEREAS, the Hamilton Town Council, on the recommendation of Town Utility Staff and the Town Water and Sewer Committee, wishes to consider amendments that would provide a \$50 credit for the filling of swimming pools and the elimination of meter reading before and after the filling of swimming pools; and

WHEREAS, the Hamilton Town Council, on the recommendation of Town Utility Staff and the Town Water and Sewer Committee, wishes to clarify the owner's responsibility for sewer lateral maintenance and repair, and

WHEREAS, the Hamilton Town Council intends to hold an October 19, 2015 public hearing to receive comment and consider the adoption of ordinance amendments.

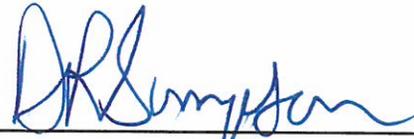
NOW THEREFORE, be it resolved that the Hamilton Town Council authorizes an October 19, 2015 public hearing to receive comment and consider the adoption of amendments to Town Water Ordinance Article III, Section 3-5 (a), (b) and (c), as set forth on the Attachment which is incorporated into this Resolution.

ADOPTED THIS 14th DAY OF September 2015.

Recorded Vote:

Motion by: Council Member Unger

Seconded by: Council Member Kesari



David R. Simpson, Mayor

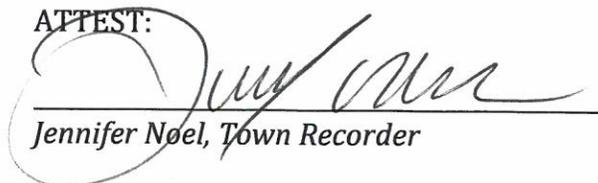
Yeas: 6

Nays: 0

Abstentions: 0

Absent for Vote: 1

ATTEST:



Jennifer Noel, Town Recorder

**PROPOSED AMENDMENTS TO TOWN WATER ORDINANCE ARTICLE III,
WATERWORKS USE AND SERVICE CHARGES, SECTION 3-5 (b) and (c) SWIMMING
POOLS**

Sec. 3-5. Swimming pools.

Any ~~citizen~~ user who is connected to the town water and sewer system ~~who~~ and wishes to use public water to fill a private swimming pool shall be charged the prevailing rate for water ~~consumption only and shall not be charged for~~ and sewer usage.

A user who fills their pool (hot tubs excluded) with town water is eligible for one annual credit of \$50.00. The user must request the credit from the Town Office, annually, before July 15th. The credit will appear on the user's next regular utility bill.

~~The following requirements shall govern the filling of swimming pools:~~

~~——(a)—— The citizen must contact the town office at least twenty-four (24) hours in advance of the time the pool is to be filled.~~

~~——(b)—— The citizen shall pay to the town a service charge of ten dollars (\$10.00). The town will read the water meter before and after the filling of the pool to determine the number of gallons of water used.~~

~~——(c)—— A total of six (6) gallons per each hour the pool is being filled shall be deducted from the water meter reading to allow for normal household usage. The remainder shall constitute the number of gallons used to fill the pool and the citizen shall be billed on the normal billing date for this water.~~

**PROPOSED AMENDMENTS TO TOWN SEWER ORDINANCE ARTICLE IV, EXTENSION OF
PUBLIC SEWER, SECTION 19-20(d)**

Sec. 19-20(d) The Property owner shall be responsible for the repair and maintenance and all costs of same, of any and all sewer lines and appurtenances that extend from the lines owned by the Town unless the lines and appurtenances are within a recorded easement wherein the Town has agreed to maintain and repair the lines and appurtenances or the Town has accepted the lines and appurtenances into the municipal system.

~~If there is a structural defect in the sewer lateral within a public right-of-way, then upon evidence from the property owner that establishes the defect in the public right-of-way, the Town shall repair that portion within the public right-of-way. In the event of any discrepancy, the Town's determination shall be controlling.~~