

ORDINANCE NO. 4746

AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE 11.01.100, NEW SERVICE CONNECTIONS AND METERS.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: Albany Municipal Code Section 11.01.100, New Service Connections and Meters, is hereby amended to read as follows:

(1) The utility may furnish and install a service of such size and at such location as the applicant requests, provided:

(a) Such requests are reasonable.

(b) The location is such that this City has in place a distribution main of sufficient size adequate to provide service to this location without detriment to existing customers.

(c) That such a distribution main is adjacent and extends at least midway along the right-of-way fronting the lot to be served. In cases where the main exists half way along the right-of-way fronting the lot to serve properties on the opposite side of the right-of-way, the requesting party must complete the extension through their lot to obtain service. The only exception to this rule will be that service can be made available through an easement which fronts the water line provided:

(1) that the easement is no more than two hundred feet long,

(2) that only one home on the premises is served by the easement,

(3) that the easement is the only feasible present or future access to the building lot,

(4) that fire protection can be provided to the property from the water line,

(5) that City shall be the sole judge in determining that the property requesting service under this rule meets all of the conditions.

(2) A service **water connection** fee shall be paid by the party requesting the installation of the service, at the time said request is made. The **service water connection** fee is established by Council resolution.

(a) **Refund not permitted.** If properties change from one use to a lower use requiring a lower connection fee, no refund for connection fees shall be made.

(b) **Payment of fees.** Before a building permit may be issued, the applicant shall pay to the City the necessary connection charges herein provided for or shall make the necessary arrangements to pay such fees as provided in Subsection 11.01.100(2)(b)(1) of this chapter, together with such other fees as may be provided by ordinances or resolutions now in effect or hereinafter adopted.

(1) **Bancroft Bonding of Water Connection Fees.** Connection fees to be paid under the provisions of this chapter may be subject to the payment in installments under the provisions of the Bancroft Bonding Act of the State of Oregon upon approval by the City Council.

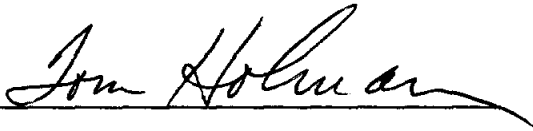
(2) **Water Connection Fee to Run With Land.** A connection fee paid hereunder shall apply to the particular lot or tract for which it is issued. Any change of use which requires additional connections to the water system shall cause an additional fee to be paid for each additional connection. The owner of the property shall be given credit only for those connections theretofore

paid involving the same parcel of property. Where a structure which is served by city water is destroyed by fire, flood, wind or act of God, no connection fee shall be charged for a replacement of the structure, provided the use thereof is not intensified. Pre-existing water connections shall be allowed to continue without liability for additional payments.

Passed by the City Council: January 28, 1987

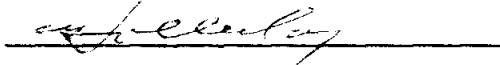
Signed by the Mayor: January 30, 1987

Effective Date: February 27, 1987



Mayor

ATTEST:



City Recorder