Hem# 4-3A

## City of Carson City Agenda Report

Date Submitted:

03/20/08

Agenda Date Requested: 03/11/08

Time Requested: Consent

To: Mayor and Supervisors

From: Development Services - Engineering

**Subject Title:** Action to approve a waiver of the sewer connection and permit fees for the property owner located at 3394 Dale Drive.

**Staff Summary:** Staff is requesting that the Board of Supervisors approve a waiver of the sewer connection and permit fees for the property owner located at 3394 Dale Drive.

Type of Action Requested:  () Resolution	(check one) () Ordinance	
(x_) Formal Action/Motion () Other (Specify)  Does This Action Require A Business Impact Statement:		( ) Yes(x) No

**Recommended Board Action:** I move to waive the sewer connection and permit fees for the property owner located at 3394 Dale Drive.

Explanation for recommended Board Action: The Board of Supervisors approved Resolutions No. 1995-R-31 and 2004-R-36 mandating sewer connection within three years of sewer becoming available for all homes and businesses within designated areas of New Empire and Southeast Carson City. In addition, the Board authorized the waiver of the residential sewer connection and permit fees if the property owners connected within two years of notification when sewer was available. The waiver of sewer connection and permit fees amounts to approximately \$5,800 of savings for a single family residence. Property owners were required to reimburse Carson City \$750.00 for the sewer lateral installed in the right of way serving the property upon application for a no-fee permit to connect. The deadline for New Empire Mandatory Sewer Connection Program with waiver of fees expired in 1997. The applicant purchased property located at 3394 Dale Drive in October 2006 and they were unaware of the mandatory sewer connection requirements and that the previous owner ignored the City's requirements. The applicant has agreed to connect to the city sewer and is requesting the sewer connection and permit fees waived the for the property located at 3394 Dale Drive. The applicant will reimburse the City for \$750.00 sewer lateral which was installed years ago.

Applicable Status, Code, Policy, Rule or Regulation: Carson City Municipal Code12.03.030

Fiscal Impact:

None

Funding Source:

N/A

Explanation of Impact:	N/A
Alternatives:	None
Supporting Materials: F	esolutions No. 1995-R-31 and 2004-R-36, Applicant letter.
Prepared By: Eva	Chwalisz, Management Assistant
Reviewed By:	Date: 3/3/08
Concurrences: (Departure of City Market)	Date: 3/1/07  Date: 3-11-08
Board Action Taken:	
Motion:	1) Aye/Nay 2)
(Vote Recorded By)	<del></del>

A RESOLUTION AUTHORIZED BY CCMC 12.03.0303 PROVIDING FOR THE WAIVING OF SEWER CONNECTION FEES FOR DESIGNATED AREAS WITHIN NEW EMPIRE AND SOUTHEAST CARSON CITY DUE TO THE CONTAMINATION OF GROUNDWATER.

WHEREAS, CCMC 13.03.030 provides that the Board of Supervisors ("Board") may provide by resolution the specific conditions for the waiver of sewer connection fees in certain geographical areas for the good of the public health; and

WHEREAS, the areas defined as:

NEW EMPIRE AREA: Bounded by the parcels adjacent to the northside of Highway 50 to the south, the parcels adjacent to the westside of Airport Road to the west and Mills (Arrowhead) to the north and east, and

SOUTHEAST CARSON CITY: Bounded by parcels adjacent to the southside of Clear Creek and Snyder Avenues to the south, eastside of Highway 395 to the west, south of Kingsley Lane to the north, and BLM property east of Gentry,

have been found to be a threat to public health based on studies by City and State Agencies as well as private Environmental Consultants due to the contamination of groundwater from the concentration of septic systems according to standards established by the Safe Drinking Water Act; and

WHEREAS, NAC 444.784 has been interpreted by the Nevada Health Division to require connection to city sewer of a lot served by an individual sewage disposal system (septic tank or cesspool) when the lot lies within 400 feet of a community sewerage system whether or not the individual sewerage disposal system is functioning or has failed; and

WHEREAS, at present, a connection fee of \$2,226.00 must be charged to a property owner which is a significant sum which some property owners simply could not or would not pay resulting in the inability of the sewer utility to allow connection; and

WHEREAS, the failure or refusal to connect to the city sewer system when it is required could result in a breach of the state regulation and the continued pollution of the city's groundwater; and

WHEREAS, the connection to city sewer system in SOUTHEAST

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WHEREAS, at present, a connection fee based on the Sewer Equivalent Residential Customer value, a permit fee and a lateral reimbursement fee must be charged to a property owner which is a significant sum which some property owners simply could not or would not pay resulting

## Dear, Mr. Jeff Sharp & Board of Supervisors

Hello my name is Jose Hernandez, I am a 24 yr old Carson City resident living at 3394 Dale Dr. I'm writing this letter to let you and the Board of supervisors know that when I bought my first house, back in Oct. of 2006 I thought I was on top of the world. Little did I know, that when I heard that the interest was going to drop and I was about to refinance I couldn't? Because I found out that my house is sitting on a septic tank instead of the traditional sewage line. Ten years ago all the houses located in Dale Street were required to convert within a two-year period in order to avoid paying any kind of fees in a mandatory sewer connection. So I'm wondering Jeff, if you can help me out with Board of Supervisors by having them wave the Sewer Connection fees and any other fees that I have missed, please. I would appreciate it a lot. Thanks.

Sincerely, Jose Hernandez 3394 Dale Dr. Carson City NV, 89706 Cell# 220-1904