

**ORDINANCE 16-O-16** amending Chapter 33 of the Murfreesboro City Code by creating Section 33-214, establishing a sanitary sewer special assessment district to be known as the South Church Street No. 1 Sanitary Sewer Special Assessment District.

**WHEREAS**, the City of Murfreesboro proposes to expend approximately Two Hundred, Eighty-Seven Thousand, Eight Hundred and Ninety Dollars (\$287,890.00) for construction of a sewerage system serving the South Church Street No. 1 Sanitary Sewer Special Assessment District, inclusive of the funding costs; and,

**WHEREAS**, it is appropriate for the City to recoup the investment from those property owners that benefit from same; and,

**WHEREAS**, the City has estimated the proposed sewer to serve 32.6 acres; and,

**WHEREAS**, the City has determined a current fair rate of recoupment is Ten Thousand, Six Hundred Dollars (\$10,600.00) per acre for future sewer connections, in addition to all other applicable sewer connection, sewer service, and sanitary sewer district fees; and,

**WHEREAS**, the City has received development plans for several properties in the affected area and expect these developments to start construction immediately upon completion of the sanitary sewerage system; and,

**WHEREAS**, the City has determined a fair rate of recoupment is Eight Thousand Eight Hundred Thirty Dollars (\$8,830.00) per acre for future sewer connections if payment is made within six (6) months of final completion of the sewerage system project, a date to be determined through a final completion document issued by the Murfreesboro Water and Sewer Department, in addition to all other applicable sewer connection or sewer service fees; and,

**WHEREAS**, the Water and Sewer Board of the City of Murfreesboro has recommended the creation of the South Church Street No. 1 Sanitary Sewer Special Assessment District; and,

**WHEREAS**, Section 4B of the Charter of Murfreesboro requires a Public Hearing before the City Council prior to approval of any special assessment improvement district and the City Council conducted a Public Hearing on May 12, 2016.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:**

**SECTION 1.** Murfreesboro City Code, Chapter 33 is hereby amended by adding Section 33-214 as follows:

**"SECTION 33-214 SOUTH CHURCH STREET NO. 1 SANITARY SEWER SPECIAL ASSESSMENT DISTRICT**

(A) The City hereby creates a sanitary sewer special assessment district called the "South Church Street No. 1 Sanitary Sewer Special Assessment District" in order to recoup funds expended for construction and installation costs of the South Church Street sewage additions,

providing sanitary sewer service to the properties shown on Map. No. 33-214, copies of which are on file with the City Recorder and Director of the Murfreesboro Water and Sewer Department.

In addition to the properties shown on Map No. 33-214, any residence, business, or other improvements constructed in the future that has sanitary sewer discharge into the sewer constructed in the South Church Street No. 1 Sanitary Sewer Special Assessment District shall pay an additional Ten Thousand Six Hundred Dollars (\$10,600.00) per acre. The South Church Street No. 1 Sanitary Sewer Special Assessment District assessment shall remain in effect until such date as the City shall determine and declare that it has been repaid for all development costs for the improvements.


**EXCLUSION:** Any customer of Murfreesboro Water and Sewer Department shall be excluded from the South Church Street No. 1 Sanitary Sewer Special Assessment District if it is determined by the Director of the Murfreesboro Water and Sewer Department, or a designee, that the sewage from the property served does not discharge into the South Church Street sewerage system.

- (B) Each applicant for sanitary sewer service in the South Church Street No. 1 Sanitary Sewer Special Assessment District shall tender and pay to the City, prior to connection for such service: the sewer connection and tapping fee described in Code §33-50(A)(1) as amended; the outside house service charge described in Code §33-50(C); the additional special sewer area charge as described in Code §33-50(A)(2); and an additional Ten Thousand Six Hundred Dollars (\$10,600.00) per acre for sewer connections in the future; however, a fee of Eight Thousand, Eight Hundred and Thirty Dollars (\$8,830.00) per acre will be accepted as a fair recoupment if payment is made within six (6) months of final completion of the construction project, a date to be determined through a final completion document issued by the Murfreesboro Water and Sewer Department, in addition to all other applicable sewer connection or sewer service fees. For the purposes of calculating this assessment, all land within a lot's property lines is included. Notwithstanding the foregoing, the City may impose additional charges associated with construction of sewer laterals to connect property to the sewer trunk line.
- (C) Additional charges for other uses fixed and established from time to time by the City Council, upon recommendation of the Water and Sewer Board, shall also be paid and collected before connection for sewer service.
- (D) Persons owning and/or occupying property which is accessible to the South Church Street No. 1 Sanitary Sewer Special Assessment District as defined in Code §16-28 shall be exempt from monthly sewer service

charges until such time physical connection is made to a sanitary sewer or the South Church Street No. 1 Sanitary Sewer Special Assessment District ends as provided in (A) above.

SECTION 2. That this Ordinance shall take effect fifteen (15) days after its passage upon third and final reading, the public welfare and the welfare of the City requiring it.

Passed:

  
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Shane McFarland, Mayor

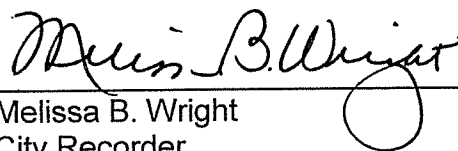
1<sup>st</sup> reading April 7, 2016

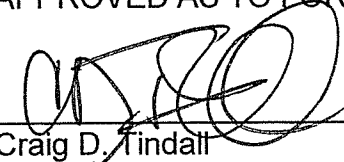
2<sup>nd</sup> reading April 21, 2016

3<sup>rd</sup> reading May 12, 2016

ATTEST:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Melissa B. Wright  
City Recorder

  
\_\_\_\_\_  
Craig D. Tindall  
City Attorney

SEAL



- Existing Manhole
- ← Existing Gravity Sewer
- ▣ S Church St Assessment District (± 32.6 Acres)



SCALE: 1" = 500'

**MURFREESBORO WATER AND SEWER DEPARTMENT**  
**Map No. 33-214**  
**South Church Street Sanitary Sewer Assessment District**

