



Legislation Details (With Text)

**File #:** ORD. 2021-356    **Version:** 1    **Name:**

**Type:** Ordinance    **Status:** Adopted

**File created:** 12/14/2021    **In control:** City Council

**On agenda:** 1/24/2022    **Final action:** 1/24/2022

**Title:** To amend City Code §§ 28-72, concerning the duty of building owners to make City water and sewer service connections and the duty of owner or tenant to apply for water service, 28-388, concerning duties of owners and tenants for water service connections, and 28-710, concerning duties of owners and tenants for wastewater service connections, for the purpose of clarifying the methods for calculating and estimating non-City water volume for billing purposes.

**Sponsors:** Mayor Stoney

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord. No. 2021-356

Date	Ver.	Action By	Action	Result
1/24/2022	1	City Council	adopted	Pass
1/18/2022	1	Land Use, Housing and Transportation Standing Committee	recommended for approval	
1/10/2022	1	City Council	continued and referred back	
12/21/2021	1	Land Use, Housing and Transportation Standing Committee	recommended for continuance	
12/13/2021	1	City Council	introduced and referred	

To amend City Code §§ 28-72, concerning the duty of building owners to make City water and sewer service connections and the duty of owner or tenant to apply for water service, 28-388, concerning duties of owners and tenants for water service connections, and 28-710, concerning duties of owners and tenants for wastewater service connections, for the purpose of clarifying the methods for calculating and estimating non-City water volume for billing purposes.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That sections 28-72, 28-388, and 28-710 of the Code of the City of Richmond (2020) be and are hereby amended

as follows:

Sec. 28-72. Duty of building owners to make City water and sewer service connections; duty of owner or tenant to apply for water service.

Owners and tenants of premises with occupied buildings thereon shall comply with the following applicable requirements:

(1) The owner of a premises with a newly constructed or an existing building thereon shall apply to the Department of

Public Utilities for a water service connection and a sewer service connection prior to occupancy of the building, provided that an individual water supply or an individual sewage disposal system approved by the ~~[Director of Public]~~ District Health Director may be used if the Department of Public Utilities cannot provide water or sewer service.

(2) Unless otherwise authorized in accordance with rules and regulations made pursuant to Section 28-26, the occupants of all buildings to which a City water connection has been made shall use City water to flush all toilets and to carry all wastewater and sewage into the City sewer system or individual sewage disposal system. Notwithstanding any other section of this Code to the contrary, the rules and regulations made pursuant to Section 28-26 to authorize the use of non-City water to flush toilets and carry wastewater and sewage into the City sewer system or individual sewage disposal system shall prescribe methods used to calculate or estimate the volume of wastewater entering the City sewer system pursuant to such rules and regulations. Each customer contributing non-City water to the City sewer system pursuant to such rules and regulations shall be billed for the calculated or estimated volume of wastewater multiplied by the applicable monthly volume charge set forth in Sections 28-650 through 28-654, and single family residential customers may be given the option to be billed based on a flat estimated volume determined by the Director. Any rules and regulations proposed by the Director pursuant to ~~[this subsection]~~ Section 28-26 related to authorizing the use of non-City water to flush toilets and carry wastewater and sewage into the City sewer system or individual sewage disposal system shall take into account, inter alia, consultations with the City's Bureau of Permits and Inspections, the Virginia Department of Health, the Virginia Department of Environmental Quality, and other appropriate regulatory agencies of the Commonwealth.

(3) An application to the Department of Public Utilities to provide water service may be made by the owner or tenant of the premises. However, an application to provide water service on one meter to two or more dwelling units may be made only by the owner or agent. The owner or agent shall be required to furnish City water to tenants when one water meter serves two or more dwelling units.

(4) If water service to an occupied building is terminated by the Department of Public Utilities as a result of a delinquent water or wastewater bill, a notice may be served by the District Health Department upon the person in whose name the bill is listed requiring that satisfactory arrangements be made with the Department of Public Utilities for payment of the delinquent bill and restoration of water service. Service of the notice shall be made by mailing the notice to the last known post office address of the person in whose name the bill is listed, by serving the notice in person on the person in whose name the bill is listed, or by serving the notice upon a responsible person above the age of 16 years who is an occupant of the building in which the person in

whose name the bill is listed lives or works. If compliance with the notice does not occur within the prescribed time or acceptable arrangements for compliance are not made with the District Health Department, the person in whose name the bill is listed may be summoned to court.

(5) Notwithstanding the requirements of subsections (1) and (2) of this section, owners of premises in which another water supply and sewage disposal system, approved by the District Health Director, was installed and used prior to January 1, 1970, shall not be required to connect to the City water and sewer systems as long as the quality of the water and the maintenance and operation of the sewage disposal system are not detrimental to public health and safety.

(6) The owner of a premises in the City may drill a well and use the water for drinking purposes only, provided the well and the water are approved by the District Health Director. Dug wells shall not be permitted in the City.

Sec. 28-388. Duties of owners and tenants.

Owners and tenants of premises with occupied buildings thereon shall comply with the following applicable requirements:

(1) The owner of a premises with a newly constructed or an existing building thereon shall apply to the Department of Public Utilities for a water service connection prior to occupancy of the building, provided that an individual water supply approved by the District Health Director may be used if the Department of Public Utilities cannot provide water service.

(2) Unless otherwise authorized in accordance with rules and regulations made pursuant to Section 28-26, the occupants of all buildings to which a City water connection has been made shall use City water to flush all toilets and to carry all wastewater and sewage into the City sewer system or individual sewage disposal system. Notwithstanding any other section of this Code to the contrary, the rules and regulations made pursuant to Section 28-26 to authorize the use of non-City water to flush toilets and carry wastewater and sewage into the City sewer system or individual sewage disposal system shall prescribe methods used to calculate or estimate the volume of wastewater entering the City sewer system pursuant to such rules and regulations. Each customer contributing non-City water to the City sewer system pursuant to such rules and regulations shall be billed for the calculated or estimated volume of wastewater multiplied by the applicable monthly volume charge set forth in Sections 28-650 through 28-654, and single family residential customers may be given the option to be billed based on a flat estimated volume determined by the Director. Any rules and regulations proposed by the Director pursuant to ~~[this subsection]~~ Section 28-26 related to the use of non-City water to flush toilets and carry wastewater and sewage into the City sewer system or individual sewage disposal system shall take into account, inter alia, consultations with the City's Bureau of Permits and Inspections, the Virginia Department of Health, the Virginia Department of Environmental Quality, and other appropriate regulatory agencies of the

Commonwealth.

(3) An application to the Department of Public Utilities to provide water service may be made by the owner or tenant of the premises, except that an application to provide water service on one meter to two or more dwelling units may be made only by the owner or agent. The owner or agent shall be required to furnish City water to tenants when one water meter serves two or more dwelling units.

(4) If water service to an occupied building is terminated by the Department of Public Utilities as a result of a delinquent water or sewer bill, a notice may be served by the District Health Department upon the person in whose name the bill is listed requiring that satisfactory arrangements be made with the Department of Public Utilities for payment of the delinquent bill and restoration of water service. Service of the notice shall be made by mailing the notice to the last known post office address of the person in whose name the bill is listed, by serving the notice in person on the person in whose name the bill is listed, or by serving the notice upon a responsible person above the age of 16 years who is an occupant of the building in which the person in whose name the bill is listed lives or works. If compliance with the notice does not occur within the prescribed time or acceptable arrangements for compliance are not made with the District Health Department, the person in whose name the bill is listed may be summoned to court.

(5) Notwithstanding the requirements of subsections (1) and (2) of this section, owners of premises in which another water supply system, approved by the ~~Director of Public~~ District Health Director, was installed and used prior to January 1, 1970, shall not be required to connect to the City water system as long as the quality of the water is not detrimental to public health and safety.

(6) The owner of a premises in the City may drill a well and use the water for drinking purposes only, provided the well and the water are approved by the District Health Director. There shall be no interconnections between the well and the City water supply. Dug wells shall not be permitted in the City.

Sec. 28-710. Duties of owners and tenants.

Owners and tenants of premises with occupied buildings thereon shall comply with the following applicable requirements:

(1) The owner of a premises with a newly constructed or an existing building thereon shall apply to the Department for a wastewater service connection prior to occupancy of the building; however, an individual wastewater disposal system approved by the ~~Director of Public~~ District Health Director may be used if the Department of Public Utilities cannot provide wastewater service.

(2) Unless otherwise authorized in accordance with rules and regulations made pursuant to Section 28-26, the occupants of all buildings to which a City water connection has been made shall use City water to flush all toilets and to carry all wastewater into the City wastewater system or individual wastewater disposal system. Notwithstanding any other section of this Code to the contrary, the rules and regulations made pursuant to Section 28-26 related to the use of non-City water to flush toilets and carry wastewater and sewage into the City sewer system or individual sewage disposal system shall prescribe methods used to calculate or estimate the volume of wastewater entering the City sewer system pursuant to such rules and regulations. Each customer contributing non-City water to the City sewer system pursuant to this subsection shall be billed for the calculated or estimated volume of wastewater multiplied by the applicable monthly volume charge set forth in Sections 28-650 through 28-654, and single family residential customers may be given the option to be billed based on a flat estimated volume determined by the Director. Any rules and regulations proposed by the Director pursuant to ~~[this subsection]~~ Section 28-26 related to the use of non-City water to flush toilets and carry wastewater and sewage into the City sewer system or individual sewage disposal system shall take into account, inter alia, consultations with the City's Bureau of Permits and Inspections, the Virginia Department of Health, the Virginia Department of Environmental Quality, and other appropriate regulatory agencies of the Commonwealth.

(3) If wastewater service to an occupied building is terminated by the Department as a result of a delinquent water or sewer bill, a notice may be served by the Department of Public Health upon the person in whose name the bill is listed requiring that satisfactory arrangements be made with the Department of Public Utilities for payment of the delinquent bill and restoration of water service. Service of the notice shall be made by mailing the notice to the last known post office address of the person in whose name the bill is listed, by serving the notice in person on the person in whose name the bill is listed, or by serving the notice upon a responsible person above the age of 16 years who is an occupant of the building in which the person in whose name the bill is listed lives or works. If compliance with the notice does not occur within the prescribed time or acceptable arrangements for compliance are not made with the District Health Department, the person in whose name the bill is listed may be summoned to court.

(4) Notwithstanding the requirements of subsections (1) and (2) of this section, owners of premises in which another wastewater disposal system, approved by the District Health Director, was installed and used prior to January 1, 1970, shall not be required to connect to the City wastewater systems as long as the maintenance and operation of the wastewater disposal system is not detrimental to public health and safety.

§ 2. This ordinance shall be in force and effect upon adoption.