

**Proposed Amendments to the Brookfield
Sewer Use Rules and Regulations**

A. THE AUTHORITY PROPOSES TO AMEND SECTION 7.1.3 TO READ AS FOLLOWS:

7.1.3 DETERMINATION OF USE CHARGES - BILLING DATES

Effective December 1, 2013, Use Charges shall be assessed as of the first day of December and June of each year upon the record owner of property. Such charges shall be billed in arrears and payable in advance for the next succeeding January 1 through June 30 in the case of the December assessment and for the next succeeding July 1 through December 31 in the case of the June assessment. Use Charges shall be delinquent as of the first day of the month next succeeding the assessment/billing date.

If the property is not connected to the sewer system for the previous entire billing period, the Use Charge shall be prorated on a daily basis for the actual number of days the property was connected for that billing period. If the property (or an individual billed unit thereof) becomes vacant during the previous billing period, then the “unit” fees applicable to that property (or its individual billed unit thereof) shall be reduced from its current usage charge to a charge based on one “unit”.

In assessing Use Charges, one “unit” shall be deemed to have a discharge of 125 gallons per day and units shall be determined as follows:

<u>Service Type</u>	<u>Number of Unit Charges</u>
1. Single Family Dwelling	1.0
2. Multi-Family Dwelling (e.g., apartment complex, duplex, condominium complex, rooming or boarding house, hotel, motel, trailer park, school dormitory)	
a) For each single family housekeeping unit with kitchen and sanitary facilities	1.0
b) For each room not included in (a) with sanitary facilities	0.5
c) For each room not included in (a) without sanitary facilities	0.25
3. Commercial establishments (e.g. stores, offices, shopping centers):	
a) Up to four (4) persons working or employed therein	1.0
b) For each additional person over four (4) working or employed therein	0.25

c)	For each office with separate sanitary facilities (to be separately considered from office under 3a and 3 b above)	1.0
d)	For each store with public sanitary facilities (to be considered in addition to 3a and 3b above):	
	per public toilet fixture	1.0
	per public urinal	0.5
	per public sink	0.25
e)	For each store or supermarket with fixtures for meat or fish preparation (to be considered in addition to 3a and 3b above)	1.25
4.	Trailer parks, for each trailer stall	1.0
5.	Schools (See Note B)	
a)	Per 100 students and personnel or fraction thereof	3.5
b)	Additional for showers per 100 students and personnel	1.5
c)	Additional for cafeterias with kitchen facilities per 100 students and personnel	1.5
6.	Churches, public buildings (other than schools), libraries, post offices, fire houses	1.0
7.	Service station and/or garage (without automatic or semi-automatic car washing facilities)	2.0
8.	Theaters, for each 100 person capacity or fraction thereof	1.5
9.	Restaurants, luncheonettes, diners, catering establishments and social or commercial dining facilities (without separate bar) per 10 seats	
a)	For up to an 8-hour daily period	2.0
b)	For each additional hour	1.5
10.	Laundromats, per 3 clothes washing machines (See Note D)	1.5
11.	Hospitals, per 10 beds (See Note D)	5.5
12.	Car washing facilities, per bay	3.0
13.	Taverns, or separate bar in restaurant, for 8 hour daily period	3.0
14.	Industrial Establishments	
a)	Up to four (4) persons working or employed therein	1.0
b)	Additional for each person over four working or employed therein, per person	0.25
c)	Additional for domestically equivalent process wastes per 100,000 gallons annually or part thereof, discharged to public sanitary sewers (See Note D & E)	0.25
d)	Additional for strong process wastes	See Note F

15.	Physical fitness or sports training facilities, gyms and clubs:	
	a) Up to four (4) persons working or employed therein (See Note A)	1.0
	b) For each additional person over four (4) working or employed therein	0.25
	c) Per 100 patrons (daily average) or fraction thereof (See Note I)	3.5
	d) Additional for showers per 100 patrons (daily average) or fraction thereof	1.5
	e) Addition per 3 clothes washing machines or fraction thereof	1.5
	f) Additional for cafeterias with kitchen facilities per 100 patrons (daily average) or fraction thereof	1.5
	g) Swimming pool and/or hot tub backwash	1.0

NOTES AND SPECIAL CHARGES

- A. Employees working 20 hours or less per week shall be counted as one-half person for purposes of determining the number of unit charges.
- B. The number of unit charges computed for schools shall be multiplied by 0.50 for schools operating 15 hours or less per week.
- C. If water conservation devices are installed by a commercial user, and their effectiveness is demonstrated to the satisfaction of the Authority, a reduction in charges up to 20% may be granted.
- D. Charges will be separately established for users expected to have an average daily discharge of 25,000 gallons or more per day ("major sewer users"). Any commercial or industrial use having an average daily discharge of 25,000 gallons or more per day may be charged on the basis of one unit per 100,000 gallons discharged annually (or part thereof). Meter facilities for such users shall be installed at the expense of the Owner.
- E. "Domestically equivalent process waste" is one that possesses the following characteristics: 1) BOD of 250 mg/l, or less, and suspended solid concentrations of 250 mg/l or less; and 2) otherwise meets the general standards described in Section 6.0 and Section 6.1 of these Regulations.
- F. "Strong process waste" is any waste that is not "domestically equivalent process waste" as defined in "E" above. Charges for such waste, if accepted by the Authority, will be established on the characteristics, quality and concentration of such wastes compared with that of "domestically equivalent process wastes".
- G. Charges will be separately established by the Authority for uses or types of uses not listed above. The Authority shall separately establish the number of unit charges applicable to such use.
- H. Charges will be separately established by the Authority for users that create special expense to the Authority.

- I. To determine the daily average number of patrons in the absence of specific information, it shall be assumed that each patron uses the facility an average of biweekly, or one-half times per week. Thus if there are 550 registered patrons but only 200 active patrons, the daily average is calculated $550 \div 2 = 275 \div 7 = 39.2$.

B. THE AUTHORITY PROPOSES TO AMEND SECTION 7.3.1 TO READ AS FOLLOWS:

7.3 CAPITAL COST RECOVERY CONNECTION CHARGES

7.3.1 APPLICABILITY.

A two percent (2%) Capital Cost Recovery Connection Charge (2% Connection Charge) heretofore established by the Authority shall be applied in each sewer district following the expiration of that district's benefit assessment installment payment plan program. Such Capital Cost Recovery Connection Charge is currently applicable to properties located in the White Turkey/Candlewood Lake Road Sewer Area and the Southwest Sewer Area, including Commerce Road. The 2% Connection Charge will be applicable to the Federal Road Sewer Area on December 1, 2020, the Center School Sewer Area on December 1, 2022 and to the Three Condominium Sewer Area on December 1, 2028¹. These dates are subject to change should the expiration of the Benefit Assessment installment payment plan program change for a Sewer Area. Additional Sewer Areas, added to the Brookfield system, from time to time, may also be subject to a 2% Capital Cost recovery Connection Charge at the expiration of that Sewer Area's Benefit Assessment installment payment plan program.

Such Connection Charge shall equal two percent (2%) of the connecting property's assessed value on the most recently completed Grand List of the Town of Brookfield. In accordance with the Authority's customary practice applicable to supplemental Benefit Assessments, such Connection Charge shall be reduced to reflect any Benefit Assessment or Connection Charge previously levied and paid with respect to such property in accordance with the following procedure:

- 1) Split out and determine the land value and the building and improvement value from the Grand List assessment applicable to the original Benefit Assessment and any subsequent supplemental Benefit Assessments.
- 2) Split out and determine the land value and the building value from the current Grand List Assessment.

¹ This will be December 1, 2030 if the changes to the payment plan currently under consideration are adopted.

- 3) Remove the land from the current Grand List Assessment valuation.
- 4) Subtract the original building valuation for assessment purposes from the current building valuation. Items such as parking lots, light poles/fixtures, site drainage, unoccupied storage buildings should be excluded, but attached appurtenances to occupied buildings should be included. Assessment penalties should be excluded.
- 5) Assess the Connection Charge at 2% of the resulting amount.
- 6) In the case of a new building being added to the property, the Connection Charge is applied to the value of the new building only, since the property owner has already paid a Benefit Assessment for the land and the existing building(s).

The Authority's intent is to collect the 2% Connection Charge on the value of the new building improvements, but not to collect for land and improvements for which an Assessment, supplemental Benefit Assessment or connection charge has previously been imposed and paid. As such, no new Connection Charge is collected on the value of the land as that was previously covered with the original assessment. And by netting out the original/supplemental building/improvement value from the current building/improvement value, the property owner is not paying twice for that portion of the new improvements covered by the original Benefit Assessment.

The Authority may determine, fix and charge such other capital cost recovery connection charges from time to time as it deems appropriate.

C. THE AUTHORITY PROPOSES TO ADD A NEW SECTION 7.3.2 TO READ AS FOLLOWS:

7.3.2 DEFERRED PAYMENT OF CAPITAL COST RECOVERY CONNECTION CHARGE IN EXCESS OF FIFTEEN THOUSAND DOLLARS (\$15,000.00)

Any property owner who shall be required to pay a 2% Capital Cost Recovery Connection Charge ("Connection Charge") in excess of Fifteen Thousand Dollars (\$15,000.00) may, at the option of such property owner, elect to pay the capital cost recovery connection charge together with interest on the unpaid principal amount at the rate of 4.0% per annum, in accordance with the following installment plan. The first installment shall be in the amount of Ten Thousand Dollars (\$10,000.00) and shall be payable at the time that the Capital Cost Recovery Connection Charge is assessed. The balance of the Connection Charge shall be paid in four (4) equal annual installments of principal, together with accrued interest, commencing on

December 1 next following issuance of the assessment of the Capital Cost Recovery Connection Charge. If any installment remains unpaid for thirty (30) days after the same shall become due, the entire unpaid balance of the Capital Cost Recovery Connection Charge, together with all unpaid interest, shall become immediately due and payable. The Authority shall have all rights provided by the Connecticut General Statutes to enforce collection and payment of said unpaid amount, including those rights provided by Section 7-254 of the Connecticut General Statutes, as amended.

Any person electing to defer payment of the 2% Capital Cost Recovery Connection Charge in accordance with this section shall execute such documentation required by the Authority to reflect the liability of the property owner for the payment of the Connection Charge on the land records and shall pay a fee equal to the amount of the Town Clerk's recording fee for such documentation.