

**RESOLUTION ADOPTING POLICY FOR THE EXTENSION OF WATER AND SEWER LINES OR CONNECTIONS THERETO IN AREAS WITHIN THE TOWN OF CHAPEL HILL'S PLANNING JURISDICTION BUT OUTSIDE OF ITS URBAN SERVICES AREA**

**WHEREAS**, Orange Water and Sewer Authority (OWASA) is guided by the land management plans approved by the government units in the area OWASA serves; and

**WHEREAS**, OWASA has not allowed the extension of water or sewer lines under its control beyond the Transition or Urban Service Areas designated by the Towns of Carrboro and Chapel Hill; and

**WHEREAS**, the Chapel Hill Town Council adopted a new Land Use Plan on May 8, 2000 that included a contraction of its Urban Services Area south of town, with the result that several pre-existing OWASA water and sewer lines are now located outside the Town's designated Urban Services Area; and

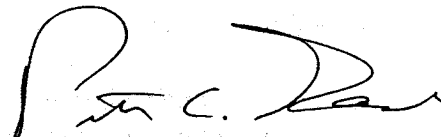
**WHEREAS**, OWASA sought policy guidance from the Chapel Hill Town Council regarding property owners' requests to connect to these pre-existing lines; and

**WHEREAS**, the Chapel Hill Town Council adopted a resolution on March 5, 2001 endorsing OWASA's suggestion that water/sewer connections in this area be handled in a manner similar to that which has been applied in the University Lake watershed since 1987 when all further water/sewer extensions into the University Lake watershed were prohibited.

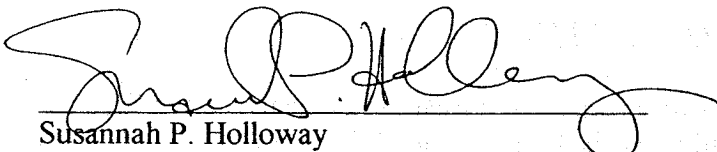
**NOW THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF ORANGE WATER AND SEWER AUTHORITY:**

Adopts the attached *Policy for the Extension of Water and Sewer Lines or Connections Thereto in Areas within the Town of Chapel Hill's Planning Jurisdiction but Outside of Its Urban Services Area.*

Adopted this the 19<sup>th</sup> day of April, 2001

  
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Peter C. Gordon, Chairman

ATTEST:

  
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Susannah P. Holloway  
Secretary-Treasurer

**ORANGE WATER AND SEWER AUTHORITY  
POLICY FOR THE EXTENSION OF WATER AND SEWER LINES OR  
CONNECTIONS THERETO IN AREAS WITHIN THE TOWN OF CHAPEL HILL'S  
PLANNING JURISDICTION BUT OUTSIDE OF ITS URBAN SERVICES AREA**

**PURPOSE**

This policy sets forth principles and guidelines for the extension of the Orange Water and Sewer Authority's (OWASA) water and sewer facilities or connections thereto outside of the Town of Chapel Hill's Urban Services Area.

**BACKGROUND**

On May 8, 2000, the Chapel Hill Town Council adopted a new Land Use Plan, which included a contraction of the Urban Services Area south of town. This action resulted in a removal of land from the Urban Services Area that had previously been within that area. Although OWASA does not allow the extension of water and sewer lines outside the Chapel Hill Urban Services Area, the newly contracted boundary raises the policy question of how to respond to requests for water/sewer connections to *existing* utility lines already in place beyond the Urban Services Area boundary.

On March 5, 2001, the Chapel Hill Town Council adopted a resolution endorsing OWASA's suggestion that water/sewer connections in this area be handled in a manner similar to what has been implemented since 1987 when all further water/sewer extensions into the University Lake watershed were prohibited. The OWASA policy delineated below is in response to Chapel Hill's March 5, 2001 resolution.

**POLICY**

Consistent with its past practices, OWASA will not permit the extension of water and sewer facilities for service connections beyond Chapel Hill's Urban Services Area, except when OWASA determines – in consultation with the Orange County Health Department – that such extension is necessary to alleviate an adverse public health condition, as defined below.

No structure may be connected to an OWASA water or sewer line that is within Chapel Hill's planning jurisdiction but outside the Town's Urban Services Area unless that structure existed before May 8, 2000 and is located on a lot adjacent to an OWASA water or sewer line that was installed before May 8, 2000, or unless necessary as note above, to alleviate an adverse public health condition.

**ADVERSE PUBLIC HEALTH CONDITION DEFINED**

An "adverse public health condition" exists with respect to a wastewater system when the wastewater system is documented to be failing by the Orange County Health Department, and no on-site repair is approvable or recommended by the Health Department.

An "adverse public health condition" exists with respect to a well water system when all of the following conditions exist:

- The well water system is contaminated with a microbial, chemical, or other agent which is known to cause disease or other serious health effects;
- The well water system is not reparable to the point where the contamination can be eliminated;
- Water from the well water supply system is not treatable prior to withdrawal to the point where the threat of disease or serious health effects is eliminated;
- There is no alternate location on-site for a new well water supply system which can be permitted under Orange County Health Department regulatory criteria in effect at the time of the contamination; or, an alternative site is unacceptable because of widespread existence of contamination or because of the potential of contaminant migration to the alternate site.

#### AUTHORIZATION

The Executive Director is authorized and empowered to formulate any application, notification, or other administrative procedures needed to implement this policy.

Reviewed by General Counsel:

Robert Spring      4/20/01  
Date                      General Counsel

Adopted by the Board:

4/19/01      [Signature]  
Date                      Clerk to the Board