



Policy #:	Title:	Effective Date:
17.001	WATER SERVICE OUTSIDE CITY LIMITS	04/01/17

**PURPOSE**

The purpose of this policy is to establish an approved procedure for residential, commercial, industrial and irrigation water service application and approval outside of the City Limits. The policy shall further establish that desired service to new subdivisions or split parcels platted outside City Limits as of March 7, 2017, (see Water Dept. maps) shall **not** be permitted without annexation.

**REFERENCE**

This amended policy statement references a policy established by Resolution No. 06-022 restricting new water service outside City Limits, to establish revised eligibility limits for granting new service connections outside City Limits, as set forth and adopted on March 7, 2017 by City Council.

**POLICY**

**WATER SERVICE OUTSIDE CITY LIMITS**

**I Goals:**

**A.** To the extent possible it is the intention of this policy to:

- 1) Limit new water service outside City Limits to those properties that: have a grandfathered/vested right to water service created by; monetary participation by the owner or a predecessor in interest for construction of the main that would provide service to the property; are contiguous to the city limits and therefore must annex to be eligible for service; are in an existing subdivision as listed below; is a non-contiguous County parcel existing as of March 7, 2017(see Water Dept. maps) and is fronted by an existing City water main. A property owner will **not** be permitted to extend a water main to a parcel that does not currently abut an existing water main in order to be eligible for water service. **Main extensions will only be allowed under annexation.**

- 2) Require qualifying properties to annex if contiguous and possible, or if not contiguous, require the owner to sign a Water Service Agreement form regarding rights to future annexation.
- 3) Limit those residential properties outside City Limits qualifying for water service to one SFD Residential connection for each parcel/lot existing at the time of approval of this policy revision, March 7, 2017 (see Water Dept. maps). Commercial or Industrial zoned parcels, existing as of date of adoption, that may meet the requirements of this policy may be eligible for one commercial metered service up to 2" in size and one metered irrigation service up to 1" in size. Applicable capitalization fees will be paid based on service tap size.
- 4) Ensure the integrity of City boundaries.
- 5) Minimize expenses for the City Water Department customers within the City limits for upgrading facilities solely serving those properties outside of the City limits.
- 6) Ensure that the quality and quantity of City water service for City residents is not diminished by providing new water service outside City limits.
- 7) Require the party seeking service to verify eligibility for one SFD residential connection.

## II **Policy:**

- A. **Water Service Agreement:** A party seeking water service for a parcel outside City limits will be required to complete and sign a Water Service Agreement stipulating theirs and the City's rights regarding future water service.
- B. **Annexation:** A party seeking water service for a parcel outside current City limits must annex into the City prior to receiving water service if the parcel is contiguous to the City limits. The party seeking annexation is responsible for all costs and fees associated with the annexation of their parcel.
- C. **Service Outside City Limits:** If the party seeking water service cannot satisfy the annexation requirement, the party may be entitled to one SFD residential connection if they can prove by a preponderance of the evidence that they meet all of the following conditions as well as one of the exceptions listed below in section III:
  - 1) The parcel or lot **abuts** an existing city water main to which another domestic service line can reasonably be connected; and
  - 2) The City's water service to other customers will not be reduced below adopted standards if the requested water service is provided; and
  - 3) The property owner signs a Water Service Agreement consenting to subsequent annexation by the City at the City's discretion; and
  - 4) The property owner agrees, in writing, to convey, without cost, all water rights attached to the parcel to the City upon request.

## III **Exceptions to Section II:**

**A. Exceptions:** If the party seeking water service meets the conditions in Section II above, they may be entitled to water service if they can prove by a preponderance of the evidence that they meet one of the following exceptions:

- 1) **Approved Subdivisions:** Each **originally** platted lot in the following subdivisions is entitled to one SFD residential service connection. No service shall be granted to any lot that has been further subdivided as per adoption of this revised policy, March 7, 2017(see Water Dept. maps).
- 2) **Approved Subdivision list:**
  - a. Ponderosa Park. (South of Harrison, Gunnison Dr.)
  - b. Ponderosa Terrace. (South of Ponderosa Park, E. Lilly Dr.)
  - c. Springview Terrace 1<sup>st</sup> addition. (E. Springview Dr.)
  - d. Les James Subdivision.
  - e. Sky Blue Acres. (Millview Ln. and Canal St.)
  - f. Aqua Terrace. (S. Fairmont Loop)
  - g. Nob Hill. (Fairmont Loop)
  - h. Rivercal Subdivision. (Canal St.)
  - i. Morse Subdivision.
  - j. Stanley Hill Terrace.
- 3) **Existing Residence with Failing Water Service:** The owner of a parcel with an existing residence will be allowed one SFD residential connection if the owner can prove by a preponderance of the evidence that the parcel's current water service is failing for reasons outside the parcel owner's control and there is no reasonably cost effective alternative to seeking City water service. If the parcel with the failing well is contiguous, the owner will be required to annex.
- 4) **Qualifying Parcels:** Owners of parcels not meeting any of the other exceptions listed in this section may be allowed one SFD residential connection if they can prove, by a preponderance of the evidence, that the parcel for which service is being sought has a grandfathered right to water service. In order to establish that the parcel has a grandfathered right the owner must establish that the City or one of its predecessors specifically agreed, in writing, to provide water service to the parcel. This may be established by showing that the developer of the lot had a written agreement with the City or its predecessor to provide water to the lot in question or by establishing that the developer of the lot participated in the funding of the water main extension to the lot.
- 5) **Other Parcels:** Owners of residential parcels that may currently abut an existing water main outside of the City limits that cannot prove a right to service under a previous service agreement, may petition the City for one SFD residential connection. Owners of commercial or industrial lots, currently abutting an existing water main outside the City limits that cannot prove an existing right to service,

may petition the City for one commercial service and one irrigation service. New requests for service shall be reviewed on a case by case basis by City staff from the Water Department, Administration and Legal Services to determine if such request meets the conditions of this policy, does not negatively impact adequate service to existing customers in the service area and does not require infrastructure expansion to provide adequate service. If the parcel to be served is contiguous, they will be required to annex. Otherwise completion of a Water Service Agreement and payment of all applicable fees will be required.

- 6) Fees:** The property owner/developer shall be responsible to pay all applicable fees and charges for the service connection. Capitalization fees shall be charged to pay for growth of the public water system. An MXU fee shall be charged to provide connection of the meter to the AMR system. Hookup fees, including any applicable County/Highway District permit fees, shall be charged if the property owner/developer requests that the City install the service. Charges equal to time, special equipment and materials may be charged for installations where rock or other adverse conditions are otherwise encountered.

### **RESPONSIBLE DEPARTMENT**

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The City of Coeur d'Alene Water Department shall be charged with the implementation and follow through of this adopted policy. The Superintendent shall grant final determination of property eligibility for service. Upon determination that the property is eligible and water service shall be supplied to property outside the City limits, the Superintendent is authorized to execute an appropriate agreement with the property owner.

### **REFERENCED INFORMATION**

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SFD Residential Connection – is a 1” service line with a ¾” meter installed per City Standard Drawing W-1

Commercial Service Connection – is a service line and meter from 1” up to 2” installed per City Standard Drawings W-1 and/or W-14.

Irrigation Service Connection – is a 1” service line and meter strictly for commercial and/or industrial irrigation installed per City Standard Drawing W-1.

Water Dept. maps – The county maps of recorded existing parcels outside the City Limits as of March 7, 2017 and submitted as an exhibit to this amended policy.

Capitalization Fees – are fees paid to the City for construction of future pumping, storage facilities and transmission mains anticipated and necessary to accommodate new growth.

MXU Fees – are fees paid to the City to connect the meter to a radio read system.

Hook-Up Fees – are fees paid to the City for the installation on one SFD residential connection. The fees include time, equipment and materials related to the complete installation of the service including asphalt replacement. The

customer can elect to forego this fee and have a certified contractor perform the installation.

County/Highway District Fees – The County or Highway District will typically charge an encroachment permit fee to ensure that the service installation is inspected and the roadway is properly repaired.

**DATE ISSUED/SUNSET DATE**

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**Issue Date: 04/01/2017**

**Review Date: 04/01/2027**