

ORDINANCE-3848

AN ORDINANCE TO AMEND THE CITY CODE PERTAINING TO  
SEWER CAPITAL RECOVERY FEES

SECTIONS AMENDED § 28-4 -28-4.1

WHEREAS, City Council held a public hearing on the proposed fee changes to provide for public comment;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF VIRGINIA BEACH, VIRGINIA THAT:

**Sec. 28-4. - Sewer capital recovery fees—Generally.**

(a) The fees prescribed by the following subsections of this section shall be paid as the property owner's share of the cost of the public sewer system and associated conveyance facilities. Such fees shall be known as "sewer capital recovery fees" and shall be deemed system revenues, as defined in the Master Water and Sewer Revenue Bond Resolution adopted February 11, 1992. Such fees shall be applicable to a use or structure not presently connected to the sanitary sewer system when such use or structure connects and as otherwise provided in this article. If a property owner has paid sanitary sewer connection fees in effect as of June 30, 2014, but has not obtained a building permit for the building or structure to which such fees apply, the property owner may, through December 31, 2014, elect to pay sewer capital recovery fees in the amount prescribed in this article, less a credit of any sanitary sewer connection fees previously paid. Any property owner who pays such fees between July 1, 2014 and December 31, 2014 may choose to pay sewer capital recovery fees in the prescribed amount or the applicable amount of sanitary sewer connection fees in effect as of June 30, 2014.

~~(b) In cases in which a gravity sewer connection to the public sewer system is not available to the property, the sewer capital recovery fee shall be in amount equal to fifty (50) percent of the applicable fee set forth in subsection (a) of section 28-4.1.~~

(b1)

Notwithstanding the provisions of subsections (b) Where a use or structure connected to the public sewer system is reconstructed, expanded or modified, so as to result in an increase in water meter size, the sewer capital recovery fee shall be in an amount equal to the difference between the fee corresponding to the size of new water meter installed to serve such use or structure and the fee corresponding to the size of the water meter replaced.

(c)

Where the property owner is required to construct sewage facilities that are to become a part of the public sewer system in order to provide service and pump station capacity to a specific parcel or parcels, the sewer capital recovery fee shall be in an amount equal to twenty-five (25) percent of the applicable fee specified in subsection (a) of section 28-4.1. Where the property owner is required to construct sewage facilities that are to become a part of the public sewer system in order to provide service to a specific parcel or parcels, and the property to be served discharges through a publicly-owned pump station the property owner is not required to modify, the sewer capital recovery fee shall be in an amount equal to fifty-one (51) percent of the applicable fee specified in subsection (a) of section 28-4.1.

(d)

Whenever Notwithstanding the provisions of subsection (c), where a property to be served discharges through a publicly-owned pump station, the sewer capital recovery fee shall be in an amount equal to one hundred twenty-six (126) percent of the applicable fee specified in subsection (a) of section 28-4.1. Where a property to be served does not discharge through a publicly-owned pump station, the sewer capital recovery fee shall be in an amount equal to the fee specified in subsection (a) of section 28-4.1. and (1) the system installation costs are calculated pursuant to subsection (c) of this section, or (2) the estimated peak sanitary sewer flow exceeds the property's flow allocation, there shall be an additional fee in the amount of one thousand, one hundred eighty-seven dollars (\$1,187.00) per

49 gallon per minute/peak flow. "Peak flow" shall be construed to mean the projected peak flow set forth in the  
50 Department of Public Utilities Design Standards or the actual peak flow, whichever is greater. "Flow allocation" shall  
51 mean that portion of the pump station's capacity assigned to the property.

52  
53 (e)  
54 The sewer capital recovery fee for campgrounds or temporary uses connected to the public sanitary sewer system  
55 is hereby established. Such fee shall be determined as follows:

56 (1)  
57 For campgrounds and other uses operated on a seasonal basis, the fee shall be in an amount equal to one-half (½)  
58 of the applicable sewer capital recovery fee specified in subsection (a) of section 28-4.1 for each water meter  
59 installed to serve such campground. For such fee to be applicable, the owner shall first enter into a contract with  
60 the city providing that, if such campground is converted to year-round use, the owner shall, at the time of conversion  
61 to year-round use, pay the fee prescribed by subdivision (2) hereof, less the amount of any sewer capital recovery  
62 fee previously paid on account of such campground.

63 (2)  
64 For campgrounds operated on a year-round basis the sewer capital recovery fee shall be in an amount equal to the  
65 applicable fee under subsection (a) of section 28-4.1 for each water meter installed to serve such campground.

66 (3)  
67 For temporary uses and structures, the applicable fee shall be determined by the director of public utilities based  
68 upon the estimated contribution of wastewater to the public sanitary sewer system from the proposed use or  
69 structure. A temporary use or structure shall be one intended to be operated or occupied during a single season or  
70 period of time and not thereafter repeated on an annual or other basis

71  
72 (f)  
73 No building permit shall be issued and no water or sewer tap shall be installed for any property until the fees required  
74 by this section have been fully paid, except as otherwise provided in this article.

75  
76 (g)  
77 Existing contractual agreements between property owners and the city regarding fees and waiver of fees shall  
78 remain in effect.

79  
80 (h)  
81 Where a property having no water meter is connected to the public sewer system, the sewer capital recovery fee  
82 shall be in an amount equal to the applicable fee for a water meter of a size necessary to serve such property, as  
83 determined in accordance with the applicable provisions of the Department of Public Utilities Design Standards  
84 Manual.

85  
86 **Sec. 28-4.1. - Same—Amount.**

87 The sewer capital recovery fee shall be determined as follows:

88 (a)  
89 For single-family and duplex dwellings and triplexes where the dwelling units are separately-metered (per dwelling  
90 unit) and for all non-residential uses:

91

Meter Size (in inches)	Sewer Capital Recovery Fee
¾	\$2,521.00
1	\$6,302.00
1.5	\$12,603.00
2	\$20,165.00
3	\$37,809.00
4	\$63,016.00
6	\$126,032.00
8	\$201,650.00

10	\$289,872.00
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92 (b)

93 For multiple-family dwellings, the fee shall be in an amount equal to seventy (70) percent of the applicable sewer  
94 capital recovery fee or reduced fee under section 28-4(c) or section 28-4(d), as the case may be, per dwelling unit.

95 (c)

96 For mixed-use and other buildings containing both residential and non-residential uses, separate meters shall be  
97 required to serve the residential and non-residential components of the property unless otherwise directed by the  
98 Director of Public Utilities or designee. Fees shall be payable for each meter serving the property in accordance with  
99 this section.

100

101 Adopted by the Council of the City of Virginia Beach, Virginia, on the 12<sup>th</sup> day of May 2026.