

ORDINANCE-3849

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

SECTION AMENDED § 37-7.1

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. 37-7.1. - Water capital recovery fee generally. (a) The fees prescribed by this section shall be paid as the property owner's share of the cost of water resource development and associated distribution facilities. Such fees shall be known as "water 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 water system when such use or structure connects and as otherwise provided in this article. If a property owner has paid water resource recovery 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 water capital recovery fees in the amount specified by this article, less a credit of any water resource recovery fees previously paid. Any property owner who pays such fees between July 1, 2014 and December 31, 2014 may choose to pay water capital recovery fees in the prescribed amount or the applicable amount of water resource recovery fees in effect as of June 30, 2014.

(b) The water capital recovery fee shall be determined as follows:

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

Meter Size (in inches)	Water Capital Recovery Fee
3/4	\$2,900.00
1	\$7,251.00
1.5	\$14,502.00
2	\$23,203.00
3	\$43,506.00
4	\$72,509.00
6	\$145,019.00
8	\$232,030.00
10	\$333,543.00

(2) For multiple-family dwellings, the fee shall be in an amount equal to seventy (70) percent of the applicable water capital recovery fee, per dwelling unit.

(3) For irrigation meters, the fee shall be in an amount equal to twenty-five (25) percent of the applicable water capital recovery fee for the equivalent size meter.

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

(5)

38 Where a use or structure connected to the public water system is reconstructed, expanded or modified so as to
39 result in an increase in water meter size, the water capital recovery fee shall in an amount equal to the difference
40 between the fee corresponding to the size of new water meter installed to serve such use or structure and the fee
41 corresponding to the size of the water meter replaced.

42 (c)

43 In the event of a dispute as to the amount of fees owed, the property owner may appeal the department of public
44 utilities' decision to the city manager or his designee and, thereafter, to city council.

45 (d)

46 No building or plumbing permit shall be issued for any property unless the fees provided for in this section have
47 been paid in full.

48 (e)

49 Existing contractual agreements between property owners and the city regarding water capital recovery fees or their
50 equivalent and waiver of such fees shall remain in effect.

51

52 Adopted by the Council of the City of Virginia Beach, Virginia, on the 12th day of May 2026.