

**DRAFT – 8/7/2018**

**A RESOLUTION OF THE TOWN OF DAVIDSON  
SETTING FORTH A WATER AND SEWER EXTENSION POLICY**

**WHEREAS**, the Town of Davidson and the City of Charlotte entered into an Agreement, a copy of which is attached as Exhibit A to this Resolution, in which the Town and City agreed that, as consideration for transfer of the Town's water and sewer system to the City that the Town would retain the right to approve or deny water and sewer extensions to property located within the Town, or its extra-territorial jurisdiction, and

**WHEREAS**, property located within Town, or its extra territorial jurisdiction, may not be served with water or sewer service by the extension of any line without written approval of the Town, and,

**WHEREAS**, the Town Board of Commissioners has authority to limit extension of water and sewer services so long as they do not act for personal gain or in an arbitrary or discriminating manner, and,

**WHEREAS**, the Comprehensive Plan states that growth should not negatively impact sensitive environmental resources and growth should not place significant additional burdens on public services or infrastructure, and,

**WHEREAS**, the Town Board of Commissioners desires to control how and when urban growth occurs within its borders by instituting local growth measures, which include adoption of a water and sewer extension policy.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF COMMISSIONERS:**

That the Town Board of Commissioners now makes and adopts the following:

**1. Statement of Intent.**

As stated in the Davidson Planning Ordinance, Davidson is a livable and walkable community because it chooses to rigorously manage growth. The Town of Davidson intends to permit the extension of water and sewer services so as to provide for managed growth that is in the best interests of the citizens of the Town.

**2. Policy Statement.**

The Town Board shall consider water and sewer requests for developments that adhere to the requirements of the Davidson Planning Ordinance. In addition, the Board may

approve or deny requests based on whether the extension is in the best interests of the community and in compliance with all the terms and conditions of the Davidson Planning Ordinance.

3. **Rationale.**

In making that determination, the Board may consider factors such as current traffic congestion in the area of the new lines and whether construction of new lines traversing town blocks will significantly increase traffic congestion, extra costs to the Town associated with traffic control during installation, the effect of new lines on the existing natural environment, particularly the loss of trees, other health and safety concerns of citizens in the immediate vicinity of the new lines and/or development, the burden on existing infrastructure of new development which can occur at higher densities with the provision of water and sewer.

4. **Applicable Areas to this Policy.**

The terms of this Policy shall apply to the extension of water and sewer lines to serve all vacant land, houses, buildings, and all other real property, located within the Town limits, and the Town's extra-territorial jurisdiction not presently served with water and/or sewer. This Policy will not apply to development projects with previously established vested rights or to those properties identified as parcels that are part of the RAP (Rural Area Plan) on the map attached hereto as Exhibit B. The Town Manager will approve future extension requests from Charlotte Water, for the properties identified on the map, in accordance with the Rural Area Plan.

5. **Effective Date.**

The provision of this Policy shall take effect as of the date of this Resolution.

6. **Severability.**

If any term or provision of this Resolution or if any rule or regulation is found to be invalid or unenforceable by a court of competent jurisdiction or by operation of applicable law, such invalid or unenforceable term or provision shall not affect the validity of the remainder of this Resolution.

This Resolution is effective this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

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Mayor, TOWN OF DAVIDSON