

ORDINANCE ENACTING SECTION 7-2-10 – SEPARATE WATER METERS REQUIRED FOR EACH BUILDING; EXCEPTIONS, OF THE CODE OF ORDINANCES CITY OF HARRISONBURG, VIRGINIA

Be it ordained by the Council of the City of Harrisonburg, Virginia:

That Section 7-2-10 be enacted as shown:

Sec. 7-2-10.-Separate water meters required for each building; exceptions.

~~(a) There shall be at least one (1) water meter for each building structure, townhouse and condominium. Exceptions shall be granted as follows:~~

~~(1) For commercial, industrial, or agricultural operations where multiple buildings are integral parts of the business or operation under one (1) ownership. For purposes of this section, apartment buildings and condominiums are not considered commercial.~~

~~(2) By discretion of the director, buildings that are unoccupied ancillary units under one ownership.~~

~~(3) By contract master meter arrangements as a second contiguous water system approved by city council.~~

~~(4) Individual apartments within one (1) building structure may be individually metered.~~

(a) On and after June 1, 2023, no application for water service shall be approved for a premises that is not served by its own (individual) water meter. As used in this section, the word "premises" shall mean:

(1) A single-family dwelling, or each dwelling unit in a duplex, quadraplex, or each dwelling unit in any other single-family attached dwelling, including a townhouse dwelling;

(2) A multifamily building, which shall include but not be limited to, apartment buildings;

(3) A mixed use building having both residential and non-residential uses; or,

(4) Any other building used for non-residential use.

(b) For purposes of interpreting this section:

(1) The connection of dwellings or buildings via a breezeway or similar structure shall not constitute one premises;

(2) A condominium unit that can be individually owned and conveyed constitutes a premises that must have its own (individual) water meter except as permitted at the discretion of the Director;

- (3) A manufactured home shall be considered either a single-family dwelling or a building used for non-residential uses, depending on its actual use, and must have its own (individual) water meter.
- (c) Notwithstanding subsections (a) and (b) above, multiple premises on a single lot and under one ownership may be served by a single water meter under the following conditions:
- (1) Either (i) they are residential or mixed use buildings defined in subsections (a)(1), (a)(2) or (a)(3) above and are operated as a single property leasing business or enterprise, or (ii) they are buildings used for non-residential uses and are integral parts of one business or enterprise, or (iii) by discretion of the Director, unoccupied buildings which are accessory uses to the primary premises;
- (2) The water meter is properly sized under Section 7-4-22(e)(3) for all units served;
- (3) The customer pays all Connection fees and Capital Recovery fees required under Section 7-4-22; and,
- (4) The customer shall pay the required monthly charges for each unit pursuant to Section 7-4-21.
- (d) Prior to the subdivision of a lot with multiple premises served by a single water meter, each premises on each lot resulting from the proposed subdivision shall be served by its own (individual) water meter unless the lot meets the requirements of subsection (c) above. Fees for the new water meter(s) and any required service lines shall be paid in accordance with Sections 7-4-22 and 7-4-23. The customer shall pay a full Capital Recovery fee for each new water meter, without credit for any discounted Capital Recovery fee previously paid.
- (e) In the event of any ambiguity, except as defined in this section, the definitions and terms provided above shall be interpreted to be consistent with the definitions set forth in the Zoning Ordinance Section 10-3-24.
- (f) Notwithstanding this section, a single meter may be approved pursuant to a contract executed by the City Manager to provide water service to a recognized “Consecutive Waterworks” as defined by the Virginia Water Works Regulations.

This ordinance shall be effective from the ____ of _____, 2023. Adopted and approved this ____ day of _____, 2023.

MAYOR

ATTESTE:

CITY CLERK