

NEW CASTLE COUNTY  
DEPARTMENT OF SPECIAL SERVICES  
SEWER CAPACITY POLICY

Policy No: 4  
Subject: Sewer Capacity for Abandoned Properties  
Date of Publication: November 8, 2001  
Effective Date: November 8, 2001

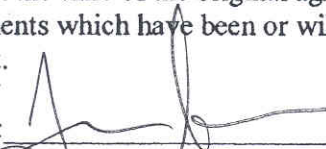
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**LEGAL AUTHORITY:** The New Castle County ("County") Department of Special Services ("Department") and the General Manager of the Department enact this policy pursuant to authority granted to them in Title 9, Section 1421 (3) of the Delaware Code, 9 *Del. C.* § 1421(3) and Chapter 2, Section 2.05.301 of the New Castle County Code ("Code"), 2 N.C.C.C. § 2.05.301. See also 38 N.C.C.C. § 38.02.002.

**BACKGROUND:** To insure that the County's regional sewer systems do not exceed capacity, it is vital that the County knows exactly how many gallons per day (gpd) of sewage are entering its system. Once constructed, regional sewer capacities are based on the yearly consumption of water by each property in a sewer region according to the property's tax parcel number and/or any actual metering data available.

A problem arises when a property, which has previously been approved for sanitary sewer service, is abandoned or sewer service is not used for more than one (1) year. Since the property is not occupied for more than one (1) year, the water meter reading for the property is zero (0). As a result, the County's sewer model ("Model") will consider that tax parcel's sewage output as zero (0). When the capacity of the region is then calculated, that tax parcel will be designated as one with no sewage output. A problem then arises if the tax parcel is later reoccupied or demolished and rebuilt, because there may no longer be available sewer capacity in that region.

**POLICY:** When any tax parcel is abandoned or ceases to use sewer service for more than one (1) year, any and all sewer agreements regarding said parcel shall be null and void. At such time, the tax parcel in question shall be forbidden to discharge any substance into the County sewer system unless and until a new sewer agreement is approved by the County. If a new sewer agreement is approved by the County, the applicant will be given credit for *relevant* connection fees which have already been paid; however, the applicant shall be responsible for all applicable fees which were not assessed at the time of the original agreement; *i.e.*, capital recovery fees related to improvements which have been or will be constructed subsequent to the original agreement.

Approved:   
General Manager, Department of Special Services

Date: \_\_\_\_\_  
Distribution: Policy Book Holder