



# **Tiverton Wastewater District Sewer Privilege Fee Policy**

## **Effective Date**

This policy supersedes the policy documentation that was adopted on July 25, 2022, and is effective upon approval until another policy is enacted.

## **Approval**

This policy has been approved by the Tiverton Wastewater District (TWWD) Board of directors (BOD) at their regular meeting on April 27, 2026.

## **Statutory authority.**

Tiverton Wastewater District (TWWD) in the Town of Tiverton in which common sewers are laid may determine that a person who uses such common sewers in any manner, instead of paying an assessment, shall pay for the permanent privilege of their estate such reasonable amount as the District shall determine.

According to the TWWD enabling legislation RI General Law 2014 S2805, and as amended in RIGL 14 LA-162 (14 LA-162 RIGL §2805 2014.) TWWD is authorized to  
Section 7-6 Fix Rates, make assessments, and collect charges.  
Section 7-20 Establish rules, regulations, policies, procedures regarding extensions etc.  
Section 17-2 May establish assessments within service zones.

Given this authority we established a privilege fee policy that was passed by the TWWD board of Directors (BOD) on 06/27/2022 and 07/25/2022.

## **Private sewer extension Sewer Privilege Fee.**

If a private developer or a person other than the Tiverton Wastewater District applies to construct a sewer extension to the TWWD owned or operated sewer system, the District shall assess a Sewer Privilege Fee in lieu of betterment assessment against each equivalent dwelling unit (EDU) connecting to the sewer extension. The Sewer Privilege Fee shall be a cost per EDU as listed on the TWWD Schedule of Fees. All TWWD fees are updated annually with the fiscal year starting on July 1<sup>st</sup> and are published on the TWWD website. The Sewer Privilege Fee shall be due and payable in full upon submitting the sewer connection application.

In addition to the Sewer Privilege Fee, private developers or persons other than the Tiverton Wastewater District constructing sewer extensions to the existing System shall pay into a Development Project Review & Coordination escrow account with their application to connect. The amount of this payment is listed in the TWWD Schedule of fees. This payment will be used as a retainer against which staff time working on the administrative aspects of the development is charged. In the event the retainer is fully utilized, an additional retainer will be required. All TWWD fees are updated annually with the fiscal year starting on July 1<sup>st</sup> and are published on the TWWD website.

Except as herein provided, the provisions of the Betterment Assessment Policy voted on and approved by the District Board of Directors on September 23, 2019, as to the assessment, apportionment, division, abatement, and collection of sewer assessments, liens, and interest thereon shall apply to assessments made under this policy, and TWWD shall have all of the powers conveyed by law.

Any request to connect to the public sewer system through an extension as aforesaid shall be in accordance with the approved Wastewater Facilities Plan and amendments thereto and determined based on available public sewer capacity.

In addition, private developer or property owners constructing and/or connecting a private sewer extension shall bear the burden of all costs, including costs of construction, paving, legal services, related to the following:

Review of design plans and specifications for the private sewer extensions to be accepted as part of the System. Review shall be performed by TWWD or its designee.

Inspection fees related to the installation of the private sewer line connecting to the public sewer system. Inspection shall be performed by TWWD or its designee.

Application fees for any applicable District inspection or connection permits.

Costs associated with the design and construction of a private sewer extension shall be considered separate from the Sewer Privilege Fee. Payments or method of payment related to these costs shall not be reflected within the Sewer Privilege Fee.

**Compensatory sewer privilege fee for parcel assessment unit increase**

Where 1) a betterment has been assessed to an undeveloped property based upon the estimated number of developable Sewer Units as required by these Regulations and the property is ultimately developed in a manner which actually reflects a number of Sewer Units in excess of the number estimated for determining the betterment assessment, or 2) a betterment has been assessed to a developed parcel and later in time the use of that parcel is increased resulting in a number of Sewer Units in excess of the number

estimated for determining the betterment assessment, the District shall assess a Compensatory Sewer Privilege Fee to reflect the increased use as determined by the District. There is an additional fee for each additional equivalent dwelling unit. Fees shall be due and payable in full upon approval to connect. Charges shall be charged at the time of determination of the Compensatory Privilege Fee, as detailed. Fees shall be due and payable in full upon approval to connect. All TWWD fees are updated annually with the fiscal year starting on July 1<sup>st</sup> and are published on the TWWD website.

**Superseding conditions.**

These Regulations shall be incorporated into the existing District Rules and Regulations and Policies, to the extent there is a conflict, shall supersede all previous District regulations for all future capital additions to the system.

**In-kind public benefit authorization.**

The District Board of Directors, in its sole discretion, is authorized to reduce the amount of the calculated Sewer Privilege Fee for an in-kind Public Benefit that is of equal value. Any such reduction shall be memorialized in an Agreement between a private developer or a person and TWWD approved by its Board of Directors.

**Affordable Housing benefit authorization.**

The District Board of Directors, in its sole discretion, is authorized to reduce the amount of the calculated Sewer Privilege Fee for an Affordable Housing benefit of equivalent percentage. Any such reduction shall be memorialized in an Agreement between a private developer or a person and the District approved by its Board of Directors. For example, if the Affordable Housing benefit is discounted 40% from the market rate, the Sewer Privilege Fee for said dwelling unit shall be reduced by the same percentage.

**Miscellaneous authorization.**

TWWD is authorized to take any other action necessary or appropriate to accomplish the establishing and recovery of such betterment assessments and privilege fees.

RI General Law 2014 S2805, and as amended in RIGL 14 LA-162 (14 LA-162 RIGL §2805 2014