

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 19, SUBDIVISIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE III, REQUIREMENTS FOR DESIGN AND MINIMUM IMPROVEMENTS, SECTION 19-58, PUBLIC WATER; SECTION 19-59, WATER FACILITIES; SECTION 19-60, INDIVIDUAL WELLS; SECTION 19-61, PUBLIC SEWER; AND SECTION 19-62, INDIVIDUAL SEWER.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 19, Subdivisions, is hereby amended and reordained by amending Article III, Requirements for Design and Minimum Improvements, Section 19-58, Public water; Section 19-59, Water facilities; Section 19-60, Individual wells; Section 19-61, Public sewer; and Section 19-62, Individual sewer.

Chapter 19. Subdivisions

Article III. Requirements for Design and Minimum Improvements

Sec. 19-58. Public water.

If public water is available, it shall be extended to all lots within a subdivision including recreation lots. Availability of public water shall be determined in accordance with the service authority regulations governing utility service.

Sec. 19-59. Water facilities.

(a) Major subdivisions inside the primary service area must connect to the service authority or Newport News Waterworks water system ~~and the public sewer system~~. *Minor subdivisions inside the primary service area must connect to the service authority or Newport News Waterworks water system if public water is available.*

(b) *For applications submitted prior to [Insert Ordinance Adoption Date]* ~~If public water is not available, the subdivider of any~~ major subdivisions outside the primary service area shall construct a central water system including distribution lines, storage, treatment and supply facilities within the subdivision. Central water service shall be extended to all lots within a subdivision, including recreation lots. Upon completion and acceptance of the improvements, the water system, together with all necessary easements and rights-of-way, including the well lot, shall be dedicated to the service authority by deed and an accompanying plat.

~~(c)~~ (1) The central water system requirement may be waived by the service authority manager. Such a waiver shall be requested in writing by the subdivider and approved prior to submission of preliminary plans. Any waiver may be subject to reasonable conditions which shall be communicated in writing to the agent and subdivider.

Sec. 19-60. Individual wells.

~~If public water is not available inside the PSA, each lot in a minor subdivision shall be served by an individual well.~~

If public water is not available, minor subdivisions inside the primary service area shall be served by individual wells (one well for each lot).

Unless otherwise required by section 19-59(b), minor and major subdivisions outside the primary service area shall be served by individual wells (one well for each lot).

All individual wells shall be approved by the health department ~~or the service authority~~ prior to approval of the subdivision plat.

Sec. 19-61. Public sewer.

~~If public sewer is available, it shall be extended to all lots within the subdivision, including recreation lots. Availability shall be determined in accordance with the service authority regulations governing utility service.~~

Major subdivisions inside the primary service area must connect to the service authority public sewer system. Minor subdivisions inside the primary service area must connect to the service authority public sewer system if public sewer is available. For major subdivisions and minor subdivisions if public sewer is available, it shall be extended to all lots within the subdivision, including recreation lots. Availability shall be determined in accordance with the service authority regulations governing the utility service.

Sec. 19-62. Individual sewer.

~~If public sewer is not available, each subdivision lot shall be served by individual on-site sewage disposal systems in accordance with the following:~~

If public sewer is not available, minor subdivisions inside the primary service area shall be served by individual on-site sewage disposal systems (one system for each lot).

Minor and major subdivisions outside the primary service area shall be served by individual on-site sewage disposal systems (one system for each lot).

(1) Individual on-site sewage disposal systems for each lot must be approved by the health department and shall be a soil absorption system of conventional or alternative design.

(2) The plans for such subdivisions shall include specific on-site sewage disposal system locations, including primary and reserve drainfields and soils information, as well as appropriate notation as required in section 19-29 (l) and (m). The immediate area in and around each proposed system must be shown using a contour interval not greater than two feet; the contour area shown outside the system should be sufficient to establish the relationship of the area to relevant topographic features such as, but not limited to, drainage ways, sink holes, road cuts, and steep slopes. The record plat shall clearly designate each lot which has been approved by a soil absorption system of alternate design and shall contain a note which clearly discloses that such alternate systems may entail additional expenses.

(3) For the purpose of subdivision of new lots, the on-site sewage disposal system must meet health department regulations that enable the health department to approve the system in perpetuity through a certification letter. For these new proposed lots, the applicant shall obtain subdivision approval from the county prior to health department issuance of any construction permits.

Any proposed lots not suitable for the installation of on-site sewage disposal systems shall be combined with lots that are suitable.