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HOUSE BILL NO. 1130

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Counties, Cities and Towns
on February 6, 2002)

(Patron Prior to Substitute—Delegate Bryant)

A BILL to amend and reenact § 15.2-2110 of the Code of Virginia, relating to mandatory connection to water and sewage systems.

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-2110 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-2110. Mandatory connection to water and sewage systems in certain counties.

A. Botetourt, Cumberland, and Halifax Counties, and any county with a population between 8,700 and 8,800, may require connection to their water and sewage systems by owners of property that may be served by such systems; however, those persons having a domestic supply or source of potable water and a system for the disposal of sewage adequate to prevent the contraction or spread of infectious, contagious, and dangerous diseases shall not be required to discontinue use of the same, but may be required to pay a connection fee, a front footage fee, and a monthly nonuser service charge that shall not be more than that proportion of a minimum monthly user charge as debt service compares to the total operating and debt service costs.

B. Goochland County and Rockingham County may require connection to their water and sewer systems by owners of property that can be served by the systems if the property, at the time of installation of such public system, or at a future time, does not have a then-existing, correctable, or replaceable domestic supply or source of potable water and a then-existing, correctable, or replaceable system for the disposal of sewage adequate to prevent the contraction or spread of infectious, contagious and dangerous diseases. Such counties may not charge a fee for connection to its water and sewer systems until such time as connection is required.

The provisions of this subsection as they apply to Goochland County shall become effective on July 1, 2002.

C. *Effective July 1, 2002, and notwithstanding the provisions of subsections A and B for any county not granted such authority as of July 1, 2002, an owner of undeveloped land, located in a county with the authority to require connection to the county's water and sewer systems, may elect to use private systems for providing a supply of water and for the disposal of sewage so long as such systems meet the requirements of the Virginia Department of Health. An owner choosing to use such private systems under the provisions of this subsection shall not be required to pay a connection fee, a frontage fee, or a monthly nonuser service charge.*

D. *Notwithstanding any other law to the contrary, owners of a water source located in a locality with mandatory water connection requirements or exclusive use of public water requirements may use such water source for purposes of irrigation on the owner's property.*