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HOUSE BILL NO. 1130**AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the Senate Committee on Local Government
on February 26, 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 this section 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 system, may elect to use a well for providing a supply of water so long as such well meets the requirements of the Virginia Department of Health and applicable county ordinances pertaining to construction and abandonment of wells. An owner choosing a well under the provisions of this section shall not be required to pay a connection fee, a frontage fee or a monthly nonuser service charge.

D. Notwithstanding the provisions of § 15.2-2121 to the contrary, owners of a non potable 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 owners' property, provided such water is not contaminated and the owners have obtained from the State Water Control Board or Virginia Department of Health any permits necessary for use of such water.

E. Nothing contained in this section shall alter or amend the rights and powers of the authority created pursuant to the Virginia Water and Waste Authorities Act (§ 15.2-5100 et seq.) nor affect any right or power of the governing body of any locality under the Virginia Water and Waste Authorities Act including the power of a locality to concur in the establishment of any requirement by such authority pursuant to § 15.2-5137.