

Fiscal Year	Total Finished Water Pumped From Source	Gallons Per Day From Source	Permitted Capacity	Difference (Capacity)	EDU Capacity (10-year)	EDU Capacity (18/19)	EDU Capacity (Policy)
2009/2010	157,827,000	432,403	682,000	249,597	1,284	1,403	998
2010/2011	166,476,000	456,099	682,000	225,901	1,162	1,270	904
2011/2012	166,269,000	454,287	682,000	227,713	1,172	1,280	911
2012/2013	158,255,000	433,575	682,000	248,425	1,278	1,396	994
2013/2014	159,038,000	435,721	682,000	246,279	1,267	1,384	985
2014/2015	165,364,000	453,052	682,000	228,948	1,178	1,287	916
2015/2016	157,535,000	430,423	682,000	251,577	1,294	1,414	1,006
2016/2017	164,398,000	450,405	682,000	231,595	1,192	1,302	926
2017/2018	155,695,000	426,562	682,000	255,438	1,314	1,436	1,022
2018/2019	146,099,965	400,274	682,000	281,726	1,450	1,584	1,127
Average	159,695,697	437,280	682,000	244,720	1,259	1,376	979

07.01.19	Boonsboro	Keedysville	Total
EDUs	1,822	428	2,250
GPD per EDU	10-Year Average	194	
GPD per EDU	Last Fiscal Year 18/19	178	
GPD per EDU	Per Policy	250	

DISTRIBUTION OF 1,640 SEWER TAPS*

Annexed Property Owner (1,400) **Max Taps** **Max Taps Remaining** **Allocation outside BMUC Policy******* **Notes**

Number of taps per amended annexation agreements, tap fee installment schedule, or town staff records.

DEVELOPER/PROPERTY

King Road	656	554	554
TT&K****	360	360	17
Easterday (Residential)***	153	153	8
Lakin	50	50	0
Flook	33	33	0
Fletcher's Grove	91	91	91
Total	1343	1241	670

Reserve (240)

Max Number of Taps Remaining

Public Services	24	24	0 park expansion, education and police
Town Farm	10	10	0 future development
Easterday (Commercial)	40	40	40
Infill**	166	141	0 approx. 10 vacant parcels over 1-acre in size
Total	240	215	40
Total Annexed and Reserve			710
Keedysville Reserve			70
Total			780

*Allocation of Taps approved by the BMUC on 10/9/2008

**17 Infill Residential taps and 8 Commercial Infill Taps from 2008 to Present

***Easterday has purchased (and owns) 8 residential sewer taps (\$92,880.59)

****TT&K has purchased (and owns) 17 residential sewer taps (\$196,966.08)

*****BMUC Policy states that Capacity is approved based upon the unused plant capacity determined by the Town of Boonsboro on a first-come first-serve basis

12/5/13

**THE MAYOR AND COUNCIL OF BOONSBORO
A POLICY FOR THE DISTRIBUTION OF WATER AND SEWER CAPACITY**

WHEREAS, the Town of Boonsboro, Maryland constructed an enhanced nutrient reduction wastewater treatment facility creating additional sewer capacity; and

WHEREAS, the Mayor and Council recognize a need to establish a method for a balanced, coordinated approach to the distribution of water and sewer capacity; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF BOONSBORO, THE FOLLOWING REGULATIONS ARE ESTABLISHED TO REGULATE THE DISTRIBUTION OF WATER AND SEWER CAPACITY:

SECTION I. PURPOSE.

The purpose of the distribution method is intended to establish a balanced, coordinated planning process to allocate capacity and maintain an adequate reserve of capacity for future growth, and to reduce pollution and enhance the water quality of the Chesapeake Bay and its tributaries. The program promotes public health, safety, and welfare through a process that will:

1. Ensure sufficient revenue is available to make timely payments on bond indebtedness;
2. Provide sewer and water service that will reasonably accommodate growth throughout the term of the indebtedness incurred to upgrade and expand the WWTP and water plants, and conserve capacity for future growth at sustainable rates throughout that period;
3. Provide capacity for development where sewerage treatment and water infrastructure is available, and minimize development that might otherwise take place in more rural areas;
4. Provide adequate public facilities for public services necessary to maintain a desirable quality of life for Town residents;
5. Provide sewer and water service in a timely and sequential fashion, linked to development, that encourages a reasonable balance and mix of uses;
6. Provide a reasonable and equitable procedure for obtaining sewer and water allocations consistent with the goals, objectives, and policies of the Comprehensive Plan; and,
7. Provide a reasonable and equitable procedure for obtaining sewer and water allocations in coordination with subdivision, site plan, and building permit approval.

SECTION II. APPLICABILITY.

The following sewer and water allocation program shall be adopted for all future connections within the Town boundaries, except connections for existing lots of record which are not part of a multi-unit development.

SECTION III. BASIS FOR ALLOCATIONS.

Allocations will be based on an equivalent dwelling unit (EDU) being equal to 250 gallons per day (GPD).

SECTION IV. APPLICATION FOR ALLOCATION.

Allocations will be granted upon written request from the property owners issued to the Department of the Planning & Zoning, at the time of concept plan approval by the Boonsboro Planning Commission. Applications for allocations shall be made by the owner for a designated piece of property only. The following information shall be included in the application:

- (1) Location;
- (2) Specific address, plus location, description and tax and parcel numbers, and tax identification number for the subject property;
- (3) Name, address and telephone number of owner/builder/developer;
- (4) Type of project;
- (5) Area of project property in square feet and acreage;
- (6) Number of lots or units to be developed, and type of unit(s);
- (7) Phasing Plan or number of units to be constructed per year;
- (8) Projected water demand (with basis for projection and connection data);
- (9) Projected sewage flow (with basis for projection and connection data);
- (10) Date application is filed;
- (11) Signature of applicant.

SECTION V. DISTRIBUTION OF ALLOCATIONS.

- A. The Department of Planning & Zoning will approve allocations based on the unused plant capacity determined by the Town of Boonsboro. The department will allot available water and wastewater capacity to the following uses based upon a maximum of 100,000 gpd per year for residential usage and 30,000 gpd per year for non-residential uses based upon the following priorities:
 - i. Public health needs
 - ii. Public service needs, including county and/or Town capital projects
 - iii. Buildable approved lots for single-family dwellings
 - iv. Other buildable approved lots
 - v. Subdivisions and site plans
 - vi. Reserve capacity
- B. The Department of Planning and Zoning, may at any time:
 - i. Reorder the priority of uses;
 - ii. Redistribute available capacity in order to reflect the changes in market demands, development, inactivity and needs of the community and Town; and
 - iii. Establish subuses to the uses listed in Subsection A above.
- C. The Department of Planning & Zoning shall regularly issue reports of changes in the following:
 - i. Priority ranking of uses.
 - ii. Proportion of allocation available to uses.
 - iii. Available unallocated capacity.
- D. Finite capacity within the Town limits the ability to commit capacity to multi-year projects and reserve capacity to allocate to other applicants in future years. Developers of multi-year projects

may request a predictable and fixed advance commitment of capacity for future phases in order to make long-term commitments to underwrite capital costs for infrastructure for a period not to exceed ten (10) years. In order to obtain commitment for a multi-year development project the following condition must be met:

- i. A Multi-Year Public Works Agreement, recommended by the Planning Commission, and approved by the Mayor and Council, is entered into that details the Phasing of the development and Tap Allocation Schedule. The Agreement will be secured by a Letter of Credit or cash deposited with the Town to assure that the cost of the Developer's share of the taps is guaranteed to the Town, with a minimum of 50% of the cost of the taps to be allocated guaranteed. No allocation of taps is complete without the Mayor and Council approved Multi-Year Public Works Agreement and financial guarantee and no tap fees will be collected or connection permit issued without the aforesaid agreement being approved by the Mayor and Council.

SECTION VI. DEPOSIT REQUIRED.

- A. The applicant shall have 30 calendar days from the date of notification of approval to make a deposit of 20% of the current sewer and water capital connection fees on lots or units for which allocation is sought, unless a multi-year agreement is approved as described in Section V.D above. The allocation shall be granted upon payment of the 20% deposit. Failure to pay the 20% deposit within the 30-day period shall result in forfeiture of the allocation.

SECTION VII. TIME LIMIT ON ALLOCATIONS.

- A. Any allocation granted after the adoption of this policy shall be valid for a period of two (2) years.
- B. One extension of time may be granted for a period not exceeding eighteen (18) additional months. Such request for an extension of time shall be made in writing to the Department of Planning & Zoning with reasons given for the need of the extension. Should the extension be approved by the Planning Commission, an additional 20% of the total allocation is required within 30 days of approval of the extension. Failure to pay the additional deposit required for the extension within the 30-day period shall result in forfeiture of the extension.
- C. If the allocations are not used after a total of forty-two (42) months; the allocations shall be deemed forfeited and returned to the allocation pool. The application shall be refunded any payment made under Sections VI and VII with the following deductions:
 - i. An administrative fee of 10% of the total capital connection fee per year or any part thereof that allotted allocation is held; and
 - ii. An interest fee of 1% of the total capital connection fee per month that allotted allocation is held.

SECTION VIII. TRANSFERABILITY.

All deposits paid by the owner are nonrefundable and nontransferable to properties other than those for which they were allocated.

SECTION IX. PAYMENT OF OUTSTANDING CHARGES REQUIRED.

12/5/13

At the time the owner desires to connect to the sewer and water systems, the owner must pay the Town all remaining monies due for the sewer and water capital connection charge (based upon current charge at time of connection minus previous deposit payments) and other charges applicable to the project and Town.

SECTION X. ACTION UPON TOWN FAILURE TO PROVIDE CONNECTION.

If, due to circumstances beyond its control, the Town is unable to provide sewer and water capital connections to any owner who has reserved same pursuant to this article, all deposits paid by the owner shall be refunded in full, and no liability shall be incurred by the Town for the failure to provide the desired connections.

Adopted: January 6, 2014