



## Connection Charges Program Guidance

### Determination of Area Served

Created January 10, 2019 — Revised March 13, 2019

#### Summary

Connection charges are based on the area served by the public sewer. **Normally, “area served” is simply the area identified in an application for sewer service extension.**

For applications involving large physical areas where sewer service will be limited to structures on a small portion of the physical area, **the district may determine that some of the area is not served** and therefore not subject to connection charges at the present time, as discussed below.

The district encourages applicants to **use environmental corridor designation** where applicable. Deferred payment may be allowed if certain criteria are met.

#### Guidance

##### Background

Customer communities owe connection charges for areas in their jurisdiction that are served by the district. Generally, connection charges are due at the time an area connects to the district through an application for sewer service extension or direct connection to an existing sewer. Charges may also be due for areas that previously connected without paying charges or that are subject to a redevelopment charge (see separate guidance).

Connection charges regulations require that charges be based on the size of the area served.

Note that an area to be served must be within the district’s service area and within an approved sewer service area, as determined by the Capital Area Regional Planning Commission and Wisconsin Department of Natural Resources. The district will require annexation to the district before a connection is made and connection charges are paid. Connections made prior to annexation are subject to additional penalties (see separate guidance).

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*The district maintains an interceptor system in its service area. When customer communities connect to the system, various fees are due, including late fees where applicable. The connection charges program is governed by the district’s sewer use ordinance and connection charges regulations, which are approved by the commission. Program guidance is approved by the chief engineer and director. Visit <http://www.madsewer.org/ConnectionCharges>.*

## Criteria

The district defines the area served as the area identified in an application for sewer service extension. The district will use legal boundaries from applications whenever possible.

The district encourages applicants for sewer service extension to include clear legal boundaries that encompass the entire area that the applicant intends to be served. Although the district will first consider legal subdivisions, the district will give greater consideration to the actual use of an area than to its legal subdivisions.

An area is served under these criteria even if no physical connection has yet occurred.

## Requiring Additional Information

Application requirements (see separate guidance) are meant to yield enough information to determine the area served. When an application is unclear as to the area served, the district may ask for additional information from the applicant. This may include the following:

- Maps with clearly delineated boundaries.
- Legal descriptions of boundaries.
- Development plans.
- Ownership of relevant lands.

## Large Areas with Limited Service

Some applications involve large physical areas where sewer service will be limited to structures on a small portion of the physical area. Applicants may wish to limit connection charges in such cases.

The district encourages applicants to designate a portion of such areas as non-environmentally sensitive environmental corridor with the Capital Area Regional Planning Commission. Designated areas are exempt from connection charges (see separate guidance on exemptions).

Even where an environmental corridor designation is not applicable, the district will take into account the actual extent of sewer service and may limit the amount of area for which connection charges are imposed at the time of application.

Charges will be imposed for structures that will be physically connected to the district's system and adjacent areas that will be used for activities by people who will use the sewer service on the connected lot. (Example: An athletic field adjacent to an area that is connected.)

The district discourages applicants from using legal subdivisions to split such large areas as a way to limit connection charges. Subdivision adds complexity to the application and to the property record.

## Deferred Payment

In some circumstances, the district may defer payment of connection charges. This is to assist customer communities in management of phased subdivision plats or similar situations involving large contiguous areas. The district will require recording of a deed notice on such areas. (See separate guidance on deferral.)

## **Authority**

General:

- State law: chapter 200, subchapter I <https://docs.legis.wisconsin.gov/statutes/statutes/200/I>
- District sewer use ordinance: <http://www.madsewer.org//Planning/Permits-Ordinances>
- Connection charges regulations: <http://www.madsewer.org/ConnectionCharges>

This Guidance:

- Connection charges regulations s. 5.1 (charges based on area served); s. 5.2.2 (authority for guidance); s. 5.2.3 (exemptions); s. 5.6 (deferral)
- Sewer use ordinance s. 4.5 (mandatory connections)

## **Document History**

2019 January : Created.