



General Assembly

January Session, 2013

Raised Bill No. 1111

LCO No. 4154



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:
(PD)

AN ACT CONCERNING RATE INCREASES BY WATER POLLUTION CONTROL AUTHORITIES RECEIVING STATE GRANTS FOR WATER POLLUTION CONTROL PROJECTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 7-255 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2013*):

4 (a) The water pollution control authority may establish and revise
5 fair and reasonable charges for connection with and for the use of a
6 sewerage system. Except as required by section 7-256, any water
7 pollution control authority that, through a municipality, receives a
8 grant pursuant to section 22a-478 for a water pollution control project
9 involving a sewerage system that serves customers in more than one
10 municipality shall obtain the approval of a majority of the chief elected
11 officials of such municipalities before revising such charges. The owner
12 of property against which any such connection or use charge is levied
13 shall be liable for the payment thereof. Municipally-owned and other
14 tax-exempt property which uses the sewerage system shall be subject

15 to such charges under the same conditions as are the owners of other
16 property, but nothing herein shall be deemed to authorize the levying
17 of any property tax by any municipality against any property exempt
18 by the general statutes from property taxation. No charge for
19 connection with or for the use of a sewerage system shall be
20 established or revised until after a public hearing before the water
21 pollution control authority at which the owner of property against
22 which the charges are to be levied shall have an opportunity to be
23 heard concerning the proposed charges. Notice of the time, place and
24 purpose of such hearing shall be published at least ten days before the
25 date thereof in a newspaper having a general circulation in the
26 municipality. A copy of the proposed charges shall be on file in the
27 office of the clerk of the municipality and available for inspection by
28 the public for at least ten days before the date of such hearing. When
29 the water pollution control authority has established or revised such
30 charges, it shall file a copy thereof in the office of the clerk of the
31 municipality and, not later than five days after such filing, shall cause
32 the same to be published in a newspaper having a general circulation
33 in the municipality. Such publication shall state the date on which such
34 charges were filed and the time and manner of paying such charges
35 and shall state that any appeals from such charges must be taken
36 within twenty-one days after such filing. In establishing or revising
37 such charges the water pollution control authority may classify the
38 property connected or to be connected with the sewer system and the
39 users of such system, including categories of industrial users, and may
40 give consideration to any factors relating to the kind, quality or extent
41 of use of any such property or classification of property or users
42 including, but not limited to, (1) the volume of water discharged to the
43 sewerage system, (2) the type or size of building connected with the
44 sewerage system, (3) the number of plumbing fixtures connected with
45 the sewerage system, (4) the number of persons customarily using the
46 property served by the sewerage system, (5) in the case of commercial
47 or industrial property, the average number of employees and guests
48 using the property and (6) the quality and character of the material

49 discharged into the sewerage system. The water pollution control
50 authority may establish minimum charges for connection with and for
51 the use of a sewerage system. Any person aggrieved by any charge for
52 connection with or for the use of a sewerage system may appeal to the
53 superior court for the judicial district wherein the municipality is
54 located and shall bring any such appeal to a return day of said court
55 not less than twelve or more than thirty days after service thereof. The
56 judgment of the court shall be final.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	7-255(a)

Statement of Purpose:

To require water pollution control authorities receiving certain state grants for water pollution control projects to obtain the approval of a majority of chief elected officials of all municipalities served by a sewerage system before raising rates, except to the extent such rates must be raised to fulfill obligations to bondholders.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]